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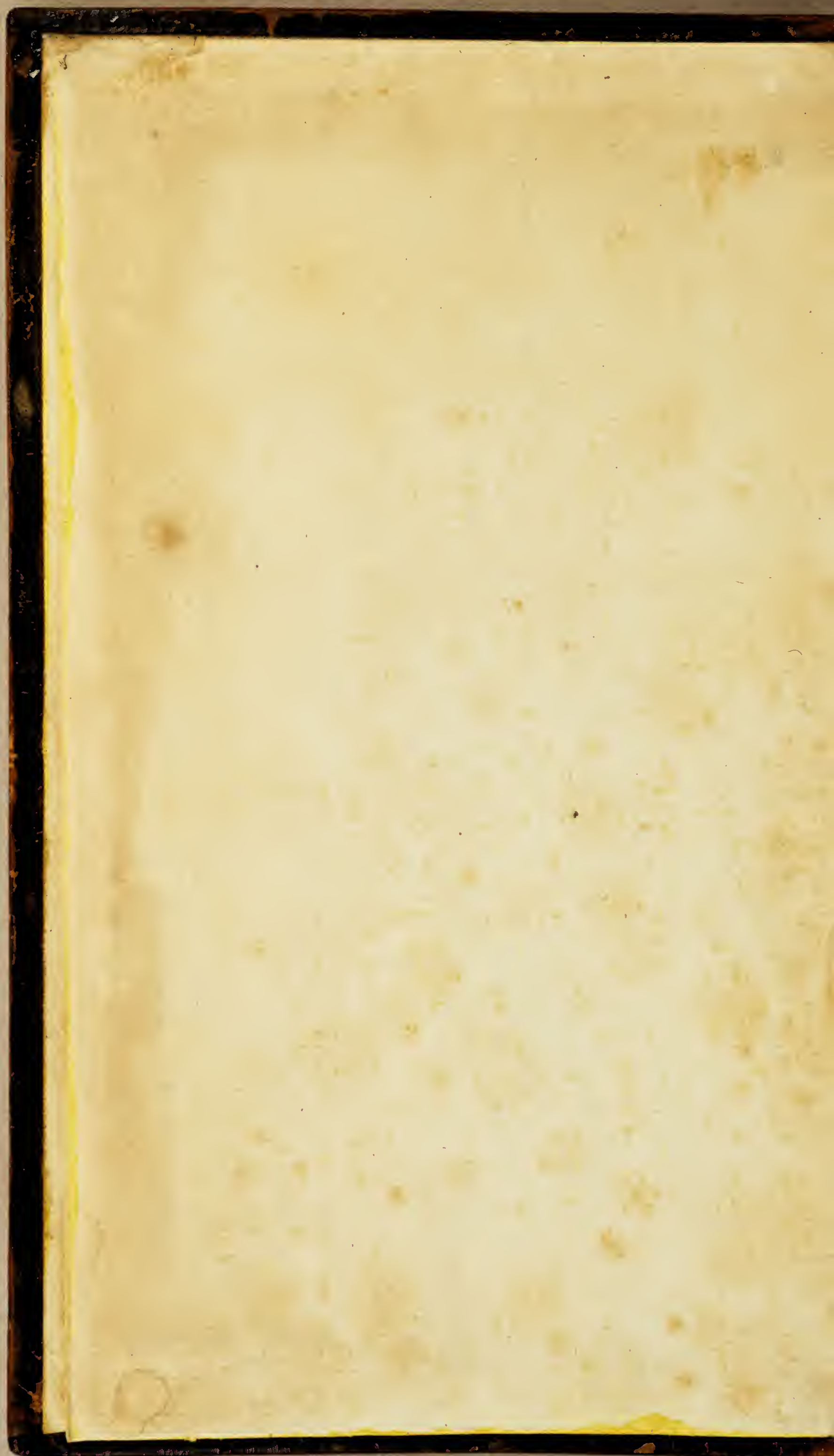


John Carter Brown.





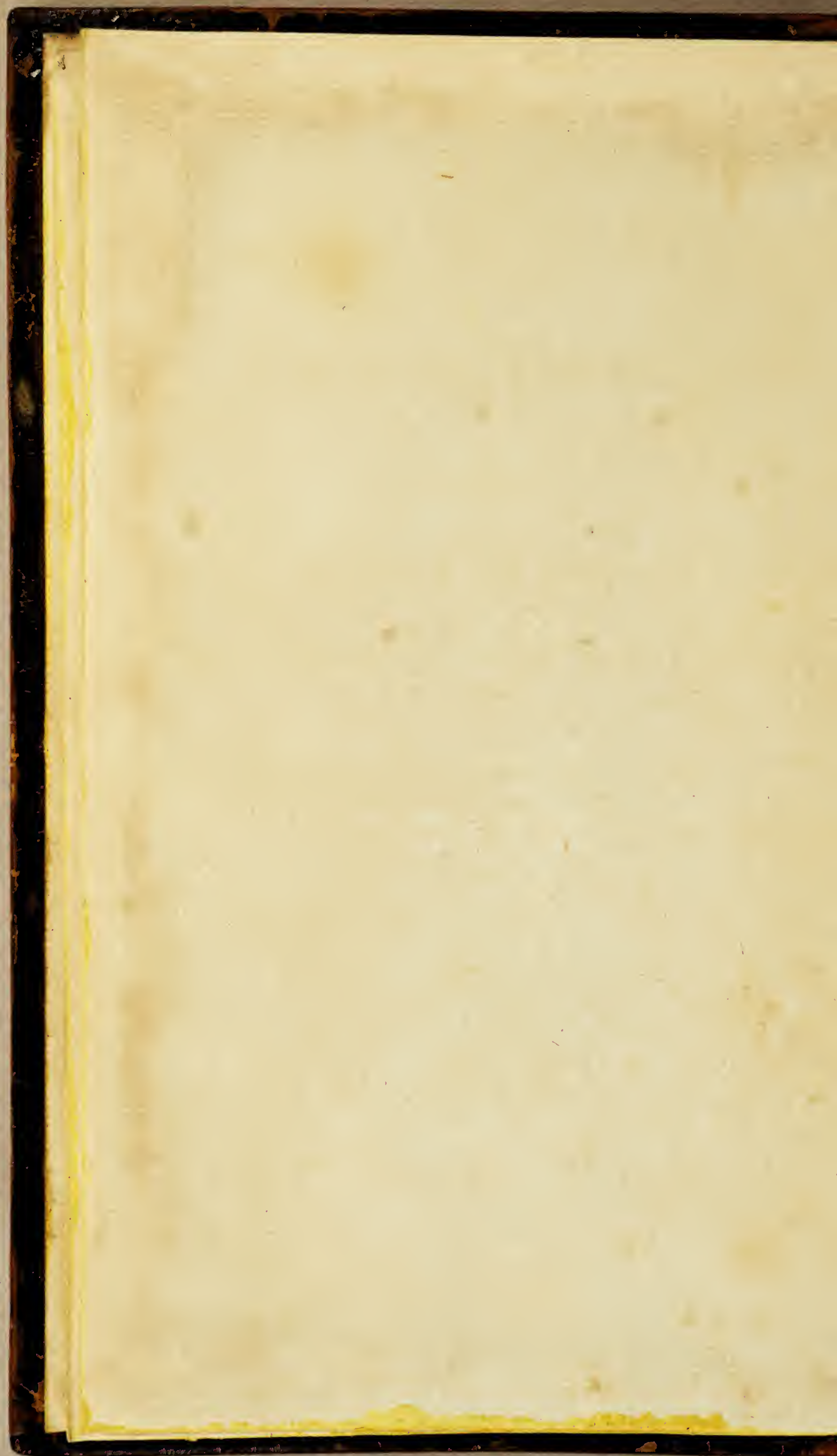














JOURNALS  
OF  
CONGRESS:

JOHN CARTER BROWN

CONTAINING THEIR

PROCEEDINGS

FROM NOVEMBER 2, 1782, TO NOVEMBER 1, 1783.

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*PUBLISHED BY AUTHORITY.*

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VOLUME VIII.

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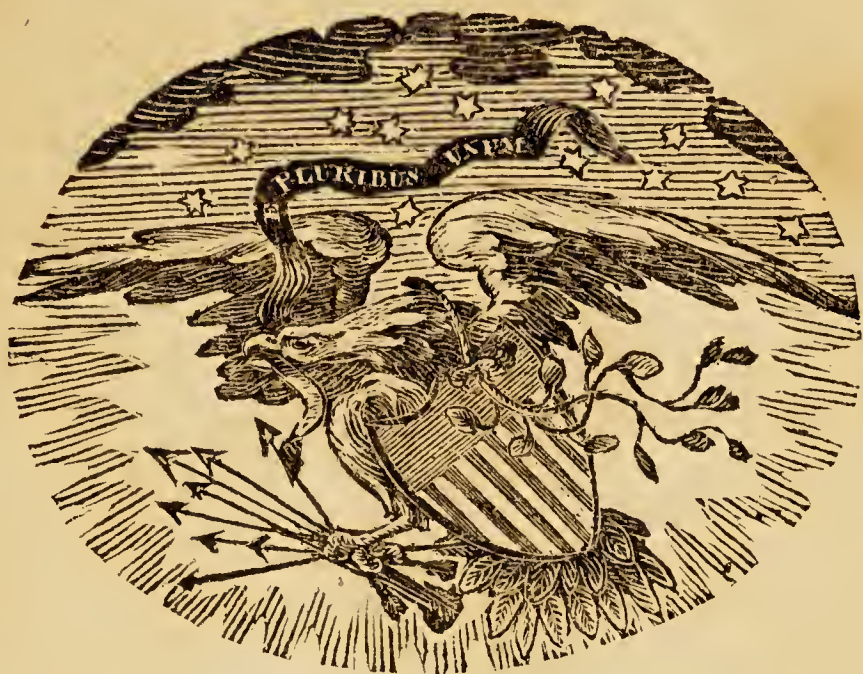
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PHILADELPHIA.

1800.



RPJCB





*“ RESOLVED*

BY the Senate and House of Representatives of the United States of America, in Congress assembled, That the Secretary of the Senate and the Clerk of the House of Representatives, be authorized and directed, to subscribe, on such terms as they may deem eligible, for the use of the Senate and House of Representatives, for four hundred Copies of the Journals of Congress, which are proposed to be published by RICHARD FOLWELL, and such number of copies of different volumes of the sets now in print, as may be necessary to complete the same.

JONATHAN DAYTON, *Speaker of the  
House of Representatives.*

JAMES ROSS, *President of the Senate pro tempore.*

APPROVED, March 2d, 1799:

JOHN ADAMS, *President  
of the United States.”*

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JOHN HANSON, ESQ.—One of our particular subscribers, with whose notions we sometimes agree, suggests that, while correcting the "mistakes" of other people, we should take care to be correct ourselves; and that John Hanson, Esq., whose portrait was burned with the Library of Congress, did not "die in Philadelphia in 1783 or 1784, while President of Congress." Mr. Hanson was elected President of Congress, as appears by the Journal, on the 5th of November, 1781, and in consequence of ill health, resigned, and on the 4th of November, 1782, Elias Boudinot, Esquire, was elected in his place. The thanks of Congress were then voted to Mr. Hanson, who was present. *E. D. I.*

*N. A. Dec. 31. 1857.*

MISTAKE CORRECTED.—In a recent editorial in the National Intelligencer, in reference to the fire at the Capitol, it was stated that among the portraits burnt, was one of "Judge Hanson, of Maryland, presented to the United States Library by his family." This is a mistake, according to the representation of R. H. Weightman, Esq., who, in a note to the editor of the paper named, says, that the painting burned was a likeness of "John Hanson, who died in Philadelphia in 1783 or 1784, while President of Congress. He never was a Judge. The picture was presented to the Government by Judge Charles W. Hanson, of Maryland."

*N. A. Dec. 30. 57*



# JOURNALS

OF

# CONGRESS.

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*MONDAY, November 4, 1782.*

The following members attended, from

<i>New-Hampshire,</i>	{ Mr. John Taylor Gilman,
	{ Mr. Phillips White.
<i>Massachusetts,</i>	{ Mr. Samuel Osgood.
<i>Rhode-Island,</i>	{ Mr. Jonathan Arnold,
	{ Mr. David Howell.
<i>Connecticut,</i>	{ Mr. Benjamin Huntington,
	{ Mr. Eliphalet Dyer.
<i>New-York,</i>	{ Mr. James Duane,
	{ Mr. Ezra L'Hommedieu.
<i>New-Jersey,</i>	{ Mr. Elias Boudinot,
	{ Mr. John Witherspoon.
<i>Pennsylvania,</i>	{ Mr. Thomas Smith,
	{ Mr. George Clymer,
	{ Mr. Henry Wynkoop.
<i>Delaware,</i>	{ Mr. Thomas M'Kean,
	{ Mr. Samuel Wharton.
<i>Maryland,</i>	{ Mr. John Hanson,
	{ Mr. Daniel Carroll,
	{ Mr. William Hemfley.
<i>Virginia,</i>	{ Mr. James Madison,
	{ Mr. Theodorick Bland.
<i>North-Carolina,</i>	{ Mr. Abner Nash,
	{ Mr. Hugh Williamson,
	{ Mr. William Blount.
<i>South-Carolina,</i>	{ Mr. John Rutledge,
	{ Mr. Ralph Izard,
	{ Mr. David Ramsay,
	{ Mr. John Lewis Gervais.

Their credentials being read, the states proceeded to the election of a president; and, the ballots being taken,

The hon. Elias Boudinot was elected.

On motion of Mr. Duane, seconded by Mr. Izard,

*Resolved,* That the thanks of Congress be given to the hon. John Hanson, late president of Congress, in testimony of their approbation of his conduct in the chair, and in the execution of public business.

On the report of the secretary at war, to whom was referred a motion of Mr. Williamson, respecting the North-Carolina troops:

*Resolved,* That the commander of the southern army be instructed, to retain, in the public service, so many of the late 18 months' drafts,



of the state of North-Carolina, as he shall think the public safety may require; and that a proportionate number of officers shall be continued in full pay, for the command of those troops, while they are in the field, the resolution of the 7th of August notwithstanding; and that they then retire on the same principles or emoluments on which they would have retired had not the operation of the said resolve been suspended.

— ❖ —  
TUESDAY, November 5, 1782.

On motion of Mr. Howell, seconded by Mr. Osgood,

*Resolved*, That all committees appointed by the last Congress, and having business before them, be, and they are hereby authorized to proceed in the same, and that they make report as soon as may be.

The credentials of the delegates of New-Jersey were read; by which it appears, that at a joint meeting of the council and assembly at Trenton, on the 30th of October, 1782, the hon. E. Boudinot, A. Clark, J. Elmer, S. Condict and Frederick Frelinghuysen, were elected, and any two or more of them empowered to represent and vote in behalf of that state in the Congress of the United States of America, from the 5th of November, 1782, to the 5th of November, 1783, unless a new appointment shall sooner take place.

*Ordered*, That the secretary at war, lay before Congress, as soon as may be, a particular state of the invalid corps.

On the report of a committee, consisting of Mr. Montgomery, Mr. Bland, Mr. Carroll, Mr. Dyer and Mr. Wither Spoon, to whom were referred a letter of the 16th of September last, from governor Clinton, a deposition of Joel Bigelow, and a memorial of Charles Phelps, with sundry paper therein enclosed and referred to :

Congress took into consideration the report of the committee, consisting of Mr. Clymer, Mr. Carroll, Mr. Clark, Mr. Livermore and Mr. Law, as entered on the journal of the 17th of April last; and the resolution proposed by this committee being read and debated,

A motion was made by Mr. Howell, seconded by Mr. Dyer, to postpone the consideration of the resolution proposed by the committee, in order to consider the following proposition :

“That the preliminary required of the people, inhabiting the territory called Vermont, by a resolve of the 20th August, 1781, as indispensably necessary to the recognition of their independence, has been complied with on their part.”

A division was called for, and on the question to postpone the consideration of the resolution proposed by the committee, and the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. Huntington,	ay		
	Mr. Dyer,	ay	}	ay



<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>L'Homedieu,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	*
	Mr. <i>Smith,</i>	<i>ay</i>		
<i>Pennsylvania,</i>	Mr. <i>Wynkoop,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M'Kean,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>Wharton,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Carroll,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>Hemsley,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>Madison,</i>	<i>no</i>		
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>ay</i>	}	<i>divided.</i>
	Mr. <i>Nash,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Blount,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Rutledge,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Izard,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Gervais,</i>	<i>ay</i>		

So it was resolved in the affirmative.

THURSDAY, November 7, 1782.

On the report of the committee, consisting of Mr. Rutledge, Mr. Osgood, Mr. Montgomery, Mr. Boudinot and Mr. Duane, to whom were referred the letter of 19th of August from the commander in chief, the report of a committee thereon, and motions of Mr. Williamson and Mr. Rutledge relative thereto, and also another letter of the 25th of October, from the commander in chief, with a copy of a letter to him from the count de Vergennes, dated 29th of July last, interceding for captain Apgill:

*Resolved,* That the commander in chief be, and he is hereby directed to set captain Apgill at liberty.

FRIDAY, November 8, 1782.

On motion of Mr. Madison, seconded by Mr. Dyer,

*Resolved,* That the commander in chief be instructed to call, in the most pointed terms, on the British commander at New-York, to fulfil his engagement contained in his letter of the 13th day of August last, "to make further inquiry into the murder of captain Huddy, and to pursue it with all the effect which a due regard to justice will admit."

A motion was made by Mr. M'Kean, seconded by Mr. Duane, in the words following:

"To prevent any misconstruction which might arise from the preceding resolutions of Congress:

Be it declared, and it is hereby declared, that the commander in chief or the commander of a separate army, is, in virtue of the powers vested in them respectively, fully authorized and empowered, whenever the enemy shall commit any act of cruelty or violence contrary to the laws or usage of war, to demand adequate satisfaction for the same, and in case such satisfaction shall not be given in a reasonable or limited time, or shall be refused or evaded under any pretence whatever, to cause suitable retaliation to be forthwith made, and the United States in Congress assembled, will support them in such measures."



## JOURNALS OF CONGRESS.

A motion was made by Mr. Howell, seconded by Mr. White, to postpone the consideration of the motion.

And on the question for postponing, the yeas and nays being required by Mr. Blount,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	no	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	ay	}	divided.
<i>Connecticut,</i>	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Smith,	no		
	Mr. Clymer,	ay	}	no
	Mr. Wynkoop,	no		
<i>Delaware,</i>	Mr. M'Kean,	no	}	no
	Mr. Wharton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. Hemsley,	no		
<i>Virginia,</i>	Mr. Madison,	no	}	no
	Mr. Bland,	no		
<i>North-Carolina,</i>	Mr. Williamson,	no	}	no
	Mr. Blount,	no		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Izard,	no		
	Mr. Gervais,	no	}	

So it passed in the negative.

A motion was then made by Mr. Howell, seconded by Mr. Madison, to strike out the preamble.

And on the question, shall it stand? the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	*
<i>Pennsylvania,</i>	Mr. Smith,	ay		
	Mr. Clymer,	ay	}	ay
	Mr. Wynkoop,	ay		
<i>Delaware,</i>	Mr. M'Kean,	ay	}	divided.
	Mr. Wharton,	no		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia,</i>	Mr. Madison,	no	}	divided.
	Mr. Bland,	ay		



<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So the question being lost, the preamble was struck out.

A motion was made by Mr. M<sup>c</sup>Kean, seconded by Mr. Duane, to introduce the declaration with the following preamble :

“ To prevent any misconstruction which may arise from the resolution directing captain Apgill to be set at liberty.”

And on the question to agree thereto, the yeas and nays being required by Mr. Smith,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	*
<i>Pennsylvania,</i>	Mr. Smith,	ay		
	Mr. Clymer,	ay	}	ay
	Mr. Wynkoop,	ay		
<i>Delaware,</i>	Mr. M <sup>c</sup> Kean,	ay	}	ay
	Mr. Wharton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia,</i>	Mr. Madison,	no	}	divided.
	Mr. Bland,	ay		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So it was resolved in the affirmative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Blount,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	divided.
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	ay	}	divided.
<i>Connecticut,</i>	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	*
<i>Pennsylvania,</i>	Mr. Smith,	ay		
	Mr. Clymer,	ay	}	ay
	Mr. Wynkoop,	ay		



<i>Delaware,</i>	Mr. <i>McKean,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Wharton,</i>	<i>ay</i>	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Hemsley,</i>	<i>ay</i>	
<i>Virginia,</i>	Mr. <i>Madison,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i>	
<i>North-Carolina,</i>	Mr. <i>Williamson,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Blount,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>	
	Mr. <i>Gervais,</i>	<i>ay</i>	

So it was resolved in the affirmative, as follows :

To prevent any misconstruction which may arise from the resolution directing captain Apgill to be set at liberty, be it declared, and it is hereby declared, that the commander in chief, or commander of a separate army, is, in virtue of the powers vested in them respectively, fully authorized and empowered, whenever the enemy shall commit any act of cruelty or violence contrary to the laws or usage of war, to demand adequate satisfaction for the same ; and in case such satisfaction shall not be given in a reasonable or limited time, or shall be refused or evaded under any pretence whatever, to cause suitable retaliation to be forthwith made ; and the United States in Congress assembled, will support them in such measures.

— ❁ —  
*TUESDAY, November 12, 1782.*

On the report of the committee, consisting of Mr. Osgood, Mr. Izard, Mr. Bland and Mr. Duane, appointed to consider and report the most just and practicable means of reducing the expenditures of the United States ; and to whom was referred a report of the secretary at war, respecting colonel Humphreys :

*Resolved,* That a commission of lieutenant-colonel issue to David Humphreys, one of the aids-de-camp to the commander in chief, to bear date from the 23d of June, 1780.

Whereas no provision has been made by Congress for the geographers to the armies of the United States ; therefore,

*Resolved,* That the geographer to the main army, and the geographer to the southern department, be each of them allowed 60 dollars per month, three rations per day, forage for two saddle horses, one two-horse covered waggon, 6 $\frac{2}{3}$  dollars per month for a servant, for whom they shall be entitled to draw one ration per day, and the clothing allowed to a private soldier.

That the assistant geographers, if such officers shall be judged necessary by the commander in chief, be allowed 30 dollars per month, one ration per day, and forage for one saddle horse.

That when chain-bearers shall be employed, not being soldiers, they shall each be allowed half a dollar per day.

— ❁ —  
*THURSDAY, November 14, 1782.*

The committee, consisting of Mr. Rutledge, Mr. Osgood and Mr. Howell, to whom was referred part of the report of a committee on



governor Clinton's letter of the 16th of September, and petitions of Charles Phelps, William Shattuck and Henry Evans ; report,

That the measures complained of in the papers above-mentioned, were probably occasioned by the state of New-York having lately issued commissions, both civil and military, to persons resident in the district called Vermont ; and therefore the committee submit the following resolves :

1st. That it be recommended to the state of New-York to revoke all commissions, either civil or military, which have been issued by the said state since the month of May last, to persons residing in the district called Vermont, as described in the resolves of the 7th and 20th of August, 1781.

2d. That it be recommended to the persons exercising the powers of government within the said district, to make full and ample satisfaction to Charles Phelps, William Shattuck and Henry Evans, and to all others in a similar predicament, for the damages which they have sustained in person and property, in consequence of the measures taken against them in the said district, and to suffer them to return to their habitations, and to remain unmolested in the district aforesaid.

3d. That it be recommended to the state of New-York, and to the persons exercising the powers of government within the district aforesaid, to adhere to the recommendations of Congress contained in their resolve of September 24, 1779, until a decision shall be had by Congress on the subject referred to them by the said state of New-York and the said district of Vermont.

On the question to agree to the first resolution, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} <i>divided.</i>
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Osgood,	ay	} *
<i>Rhode-Island,</i>	Mr. Arnold,	ay	
	Mr. Howell,	ay	} ay
<i>New-York,</i>	Mr. Duane,	no	
	Mr. L'Homedieu,	no	} no
<i>New-Jersey,</i>	Mr. Boudinot,	no	
<i>Delaware,</i>	Mr. M'Kean,	no	} no
	Mr. Wharton,	no	
<i>Maryland,</i>	Mr. Carroll,	no	} no
	Mr. Hemsley,	no	
<i>Virginia,</i>	Mr. Madison,	no	} *
<i>North-Carolina,</i>	Mr. Williamson,	no	
	Mr. Blount,	no	} no
<i>South-Carolina,</i>	Mr. Rutledge,	no	
	Mr. Izard,	no	} no
	Mr. Gervais,	no	

So the question was lost.

A motion was then made by Mr. Duane, seconded by Mr. L'Homedieu, that the second resolve be committed ; and, on the question for commitment, the yeas and nays being required by Mr. Howell,



<i>New-Hampshire,</i>	Mr. Gilman,	ay	} divided.
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Osgood,	no	} *
<i>Rhode-Island,</i>	Mr. Arnold,	no	
	Mr. Howell,	no	} no
<i>New-York,</i>	Mr. Duane,	ay	
	Mr. L'Hommedieu,	ay	} ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay	
<i>Delaware,</i>	Mr. M <sup>c</sup> Kean,	ay	} *
	Mr. Wharton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. Hemsley,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} *
<i>North-Carolina,</i>	Mr. Williamson,	ay	
	Mr. Blount,	ay	} ay
<i>South-Carolina,</i>	Mr. Rutledge,	no	
	Mr. Izard,	ay	} ay
	Mr. Gervais,	ay	

So the question was lost.

A motion was then made by Mr. M<sup>c</sup>Kean, seconded by Mr. Duane, that the remainder of the report be postponed, on which the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Osgood,	ay	} *
<i>Rhode-Island,</i>	Mr. Arnold,	no	
	Mr. Howell,	no	} no
<i>New-York,</i>	Mr. Duane,	ay	
	Mr. L'Hommedieu,	ay	} ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay	
<i>Delaware,</i>	Mr. M <sup>c</sup> Kean,	ay	} *
	Mr. Wharton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. Hemsley,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} *
<i>North-Carolina,</i>	Mr. Williamson,	ay	
	Mr. Blount,	ay	} ay
<i>South-Carolina,</i>	Mr. Rutledge,	no	
	Mr. Izard,	ay	} ay
	Mr. Gervais,	ay	

So the question was lost, whereupon an adjournment was called for and agreed to.

MONDAY, November 18, 1782.

Mr. Fitzsimmons and Mr. Peters, two delegates for Pennsylvania, attended, and produced their credentials, by which it appears, that the hon. Thomas Mifflin, Thomas Fitzsimmons, James Wilson, John Montgomery and Richard Peters, Esqrs; were, on the 12th inst. duly elected delegates to represent that state in Congress.

Mr. Clark, a delegate for New-Jersey, attended, and took his seat.



Mr. Jones, a delegate for Virginia, attended, and took his seat.

On a report from the superintendant of finance, to whom was referred a report of a committee on a memorial of Mr. A. Lee :

*Resolved* That Arthur Lee, Esq; be permitted to deliver up to the comptroller of the treasury, fundry loan-office certificates in his possession, amounting to 9950 $\frac{55}{90}$  dollars, and that the same be, on such delivery, cancelled ; and that the superintendant of finance do thereupon pay the said Arthur Lee, the sum of £. 2238 : 17 : 9 sterling, with interest from the 10th day of August, 1781, at six per cent. by bills of exchange in his favour, in livres, at the rate of ten-pence half-penny sterling each.

On the report of a committee, consisting of Mr. Lee, Mr. Rutledge and Mr. Madison, to whom upon a reconsideration, the resolution of the 28th of May last, was referred :

*Resolved*, That a commissioner be appointed by Congress, with full power and authority, to liquidate and finally to settle the accounts of all the servants of the United States, who have been entrusted with the expenditure of public money in Europe, and all other accounts of the United States in Europe, and to commence and prosecute such suits, causes and actions, as may be necessary for that purpose, or for the recovery of any property of the said United States, in the hands of any person or persons whatsoever.

That the said commissioner be authorized to appoint one or more clerks, with such allowance as he may think reasonable.

That the said commissioner and clerks respectively take an oath before some person duly authorized to administer an oath, faithfully to execute the trust reposed in them respectively.

Congress proceeded to the election of a commissioner, and, the ballots being taken,

Mr. Thomas Barclay was elected, having been previously nominated by Mr. Williamson.

*Resolved*, That Congress will hereafter make adequate provision for the said commissioner, according to the nature and extent of the services which he shall perform.

*Ordered*, That the superintendant of finance report the necessary instructions for the said commissioner, pursuant to the order of the 29th of May last.

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TUESDAY, November 19, 1782.

On the report of a committee, consisting of Mr. Carroll, Mr. Osgood and Mr. Peters, to whom was referred a report of a committee on a letter of the 30th of October, from the secretary at war :

*Resolved*, That the senior officers of each grade, sufficient to form corps agreeable to the act of the 7th of August last, (the regiments to have their complement of officers, as established by the acts of the 3d and 21st of October, 1780, except as to the therein proposed supernumerary subaltern for receiving the recruits, who shall be omitted) shall be retained in service for the command of the said corps ; and the redundant junior officers of the several grades, shall retire from immediate service, agreeably to the said first recited act, but the said junior officers, so retiring, shall retain their rank in the army, and be liable and enti-



tled to be called into actual service, only when regiments or corps shall be raised for them by their respective states. But any senior officer, entitled to remain in service, shall have the liberty of retiring, with the emoluments of officers retiring under the acts last recited, for reasons satisfactory to the commander in chief, or the commanding-officer of the southern army, on such retiring officer relinquishing his command and future right of promotion in the army, and signifying the same, on or before the first day of January next, to the commander in chief or the commanding-officer of the southern army, who shall duly transmit lists of such retiring officers, to the secretary at war; any act or resolution of Congress to the contrary hereof notwithstanding.

When the foregoing resolution was under debate,

A motion was made by Mr. Howell, seconded by Mr. Arnold, to strike out the words "command and;"

And on the question, shall these words stand? the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
	Mr. Arnold,	no		
<i>Rhode-Island,</i>	Mr. Howell,	no	}	no
	Mr. Duane,	ay		
<i>New-York,</i>	Mr. L'Hommedieu,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Clark,	ay	}	ay
	Mr. Fitzsimmons,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	ay
	Mr. Wharton,	ay		
<i>Delaware,</i>	Mr. Carroll,	ay	}	*
	Mr. Hemsley,	ay		
<i>Maryland,</i>	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
<i>Virginia,</i>	Mr. Nash,	ay	}	ay
	Mr. Williamson,	ay		
<i>North-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
<i>South-Carolina,</i>			}	

So it was resolved in the affirmative.

Congress proceeded in the consideration of the report, and the committee having reported, "that commissions issue to the officers in the several state lines, who are or shall be entitled to promotion, prior to the first day of January next; that the retiring officers may leave the service with the ranks to which they are or shall be respectively entitled, previous to that period."

On the question to agree to this proposition, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
	Mr. Arnold,	no		
<i>Rhode-Island,</i>	Mr. Howell,	no	}	no



<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	divided.
	Mr. Clark,	no		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Wharton,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Nash,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So the question was lost.

\*  
WEDNESDAY, November 20, 1782.

Mr. Mifflin, a delegate for Pennsylvania, attended, and took his seat.

On motion of Mr. Peters, seconded by Mr. Clark,

*Resolved*, That commissions issue, on promotions properly certified, for all regimental-officers entitled to fill vacancies happening before the first day of January next, excepting vacancies occasioned by senior officers retiring, agreeably to the resolve of the 19th inst. any resolution of Congress to the contrary hereof notwithstanding.

On the question to agree to this resolution, the yeas nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
	Mr. Arnold,	ay		
<i>Rhode-Island,</i>	Mr. Howell,	ay	}	ay
	Mr. Duane,	ay		
<i>New-York,</i>	Mr. L'Hommedieu,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Clark,	ay	}	ay
	Mr. Mifflin,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Wharton,	ay	}	*
	Mr. Carroll,	ay		
<i>Maryland,</i>	Mr. Hemsley,	ay	}	ay
	Mr. Madison,	ay		
<i>Virginia,</i>	Mr. Nash,	ay	}	*
	Mr. Williamson,	ay		
<i>North-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Gervais,	ay		

So it was resolved in the affirmative.



*Ordered*, That the pay-master-general furnish the secretary at war, from time to time, as they may be called for by him, with the accounts of all pay and advances received by or chargeable to the officers and men of the several regiments in the service of the United States.

The report of the committee, consisting of Mr. Lee, Mr. Izard and Mr. Wharton, to whom were referred a letter of the 24th of May last from the superintendant of finance, and the orders given to capt. Harding, being taken into consideration, and after debate postponed:

On motion of Mr. Duane, seconded by Mr. Madison,

*Resolved*, That the superintendant of finance be directed to instruct the commissioner for settling the public accounts in Europe, to take proper measures for adjusting, without delay, the accounts of Mr. de Beaumarchais or Roderique Hortales & Co. and to report such settlement to Congress, that order may be taken for payment of the balance, if any shall be justly due; and that in the mean time no farther remittances or payments be made to Mr. de Beaumarchais or Roderique Hortales & Co. by virtue of any former resolution of Congress.

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THURSDAY, November 21, 1782.

A letter, of the 17th, from W. Paca, was read, informing, that the general assembly of Maryland having promoted him to the government of that state, he is obliged to resign his office of judge of the court of appeals in cases of capture.

The committee, consisting of Mr. Howell, Mr. Gervais and Mr. L'Hommedieu, having reported on the letter of the 6th from the governor of Maryland, relative to the case of colonel H. Hollingsworth:

*Resolved*, That Congress are satisfied with the report of the hon. Alexander Contee Hanson, Esq; one of the judges of the general court of the state of Maryland, on the case of Henry Hollingsworth, referred to him by the executive of the said state, in pursuance of the act of Congress of the 20th July, 1780; and that the complaint against the said H. Hollingsworth be dismissed.

---

FRIDAY, November 22, 1782.

On motion of Mr. Madison, seconded by Mr. Osgood,

*Resolved*, That Monday the 2d of December next, be assigned for electing two judges for the court of appeals in cases of capture, one in the room of Mr. Paca, resigned, and one in the room of Mr. Homer, deceased.

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MONDAY, November 25, 1782.

Mr. Alexander Hamilton, a delegate for the state of New-York, attended, and produced a commission under the great seal of the state, dated at Poughkeepsie, the 25th of October, 1782, which was read, and by which it appears, that on the 22d of July, 1782, the hon. James Duane, William Floyd, John Morin Scott, Ezra L'Hommedieu and Alexander Hamilton, were appointed delegates to represent the said state for one year, from the first Monday in November, 1782.

On the report of a committee, consisting of Mr. Williamson, Mr. Madison and Mr. Peters, to whom was referred a motion of Mr. Madison:

*Resolved*, That the secretary for foreign affairs be, and he is hereby



authorized to communicate to the ministers of foreign powers, who may reside near Congress, all such acts and resolutions of Congress, and all such articles of intelligence received by Congress, as he may judge proper, those only excepted which Congress may specially require to be kept secret, in which cases he shall make previous application to Congress.

WEDNESDAY, November 27, 1782.

Mr. W. Floyd, a delegate for New-York, attended, and took his seat.

The committee, consisting of Mr. Ramfay, Mr. Nash and Mr. Peters, to whom was referred a letter of the 20th from the secretary at war, reported the draught of a supplemental ordinance for regulating the post-office, which was read a first time :

Ordered, That Monday next be assigned for the second reading.

Ordered, That Mr. Duane and Mr. L'Hommedieu have leave of absence.

MONDAY, December 2, 1782.

According to order, the draught of the supplemental ordinance for regulating the post-office, was taken up for a second reading ; and after debate,

Ordered, That it be recommitted.

A motion was made by Mr. Howell, seconded by Mr. Arnold, " that it be recommended to the several states, to settle with and satisfy the officers and men of such temporary corps of troops as may have been raised within them respectively, with the approbation of Congress, on account of their pay and emoluments during the time of their actual service, and the depreciation thereon, and charge the same to the United States."

A motion was made by Mr. M<sup>c</sup>Kean, seconded by Mr. Hamilton, that the consideration thereof be postponed :

And on the question for postponing, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
Massachusetts,	Mr. Osgood,	ay	} *
	Mr. Arnold,	no	
Rhode-Island,	Mr. Howell,	no	} no
	Mr. Floyd,	ay	
New-York,	Mr. Hamilton,	ay	} ay
	Mr. Boudinot,	ay	
New-Jersey,	Mr. Clark,	ay	} ay
	Mr. Fitzsimmons,	ay	
Pennsylvania,	Mr. M <sup>c</sup> Kean,	ay	} *
	Mr. Wharton,	ay	
Delaware,	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
Virginia,	Mr. Nash,	ay	} ay
	Mr. Williamson,	ay	
North-Carolina,	Mr. Blount,	ay	} ay
	Mr. Rutledge,	ay	
South-Carolina,	Mr. Ramsay,	ay	} ay
	Mr. Izard,	ay	



So it was resolved in the affirmative.

*Ordered*, That the order of the day, for electing two judges for the court of appeals, be postponed to Thursday next.

—\*—  
*TUESDAY, December 3, 1782.*

The secretary for foreign affairs having assigned to Congress satisfactory reasons for relinquishing his office, and having requested permission to resign :

*Resolved*, That Thursday, the 19th inst. be assigned for electing another person to fill the office of secretary for foreign affairs ; and that Mr. Livingston be informed that Congress do approve of his proposal of continuing to perform the duties of the office until a person shall be appointed to succeed him.

On the report of a committee, consisting of Mr. Hamilton, Mr. Peters and Mr. Osgood, to whom was referred a letter of the 22d Nov. from the superintendant of finance and secretary at war :

*Resolved*, That after the last day of December inst. in lieu of the rations hitherto allowed to the officers of the army, including those for servants, they shall be allowed subsistence-money at the rate of four dollars per month for each ration ; provided, that where circumstances in any case shall not permit the payment of such subsistence-money, they shall draw their rations as heretofore.

*Resolved*, That after the fore-mentioned period, in lieu of the pay and rations allowed to the officers of the hospital-department, including rations for servants, they shall be entitled to the following monthly pay and subsistence ; provided in like manner, that where the said subsistence-money shall not be paid, they shall be entitled to draw an equivalent number of rations, at the rate of four dollars for each ration per month, viz.

The director, 102 dollars pay and 60 dollars subsistence.

The deputy director and physician, each 100 dollars pay and 48 dollars subsistence.

The surgeons, each 90 dollars pay and 40 dollars subsistence.

Apothecary and purveyor, each 92 dollars pay and 32 dollars subsistence.

Deputy apothecary and deputy purveyor, each 59 dollars pay and 16 dollars subsistence.

Mates, each 42 dollars pay and 12 dollars subsistence.

Stewards, each 31 dollars pay and eight dollars subsistence.

Ward-masters, each 21 dollars pay and eight dollars subsistence.

—\*—  
*WEDNESDAY, December 4, 1782.*

On the report of a committee, consisting of Mr. Osgood, Mr. Madison and Mr. Hamilton, to whom was referred a letter of the 29th of November, from the agent of marine, enclosing a copy of a letter of the same date, to him, from captain J. P. Jones :

*Resolved*, That the agent of marine be informed, that Congress, having a high sense of the merit and services of capt. J. P. Jones, and being disposed to favour the zeal manifested by him to acquire improvement in the line of his profession, do grant the permission which he requests ; and that the said agent be instructed to recom-



mend him accordingly to the countenance of his excellency the marquis de Vaudreuil.

On motion of Mr. Hamilton, seconded by Mr. Howell,

*Resolved*, That a committee be appointed to confer with a committee of the legislature of Pennsylvania, relative to the subjects of their late memorial to Congress :

The members, Mr. Rutledge, Mr. Madison and Mr. Hamilton.

The committee, consisting of Mr. Hamilton, Mr. Peters and Mr. Osgood, to whom were referred a report of the superintendant of finance, on a letter of 22d of November, 1782, from capt. Schreiber, and a letter of 25th of the same month from lieutenant-colonel Cambray ; report,

“ That although they consider the situation of foreigners in the service of this country, remote from any resources which they may have in their own, and destitute of any competent provision here, as involving a peculiar hardship, and requiring if possible some discrimination in their favour ; yet in the present embarrassed state of the public finances, they cannot advise any measure for their relief, which may derange the general plans of the superintendant of finance ; and they therefore recommend, that the matter may be left to his discretion to act therein as he may conceive most proper.”

*Resolved*, That Congress agree to the said report.

The committee, consisting of Mr. Carroll, Mr. Osgood and Mr. Peters, to whom was referred a letter of the 29th of October, from the secretary at war, on the subject of future promotions of colonels to the rank of brigadiers ; report,

That for the purpose of promotions of colonels or lieutenant-colonels commandant, the army of the United States shall be considered as classed in the following divisions ; the eastern, middle and southern. The troops of New-Hampshire, Massachusetts, Rhode-Island and Connecticut, shall form the eastern : those of New-York, New-Jersey, Pennsylvania, Delaware and Maryland, the middle : and those of Virginia, North-Carolina, South-Carolina and Georgia, the southern division :

That whensoever it shall be deemed necessary for the service, to appoint brigadiers in any state or states where the number of troops in the field are sufficient to form one or more brigades, the brigadiers shall be appointed from the senior colonels or lieutenant-colonels commandant in the lines of such states ; and when brigadiers shall be wanted to command brigades within either of the divisions composed of the troops of such states, who have not individually numbers in the field sufficient to form a brigade, the brigadiers shall be appointed from the senior colonels or lieutenant-colonels commandant in such brigades.

On the question to agree to this report, the yeas and nays being required by Mr. Clark,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} no
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Osgood,	ay	} *
<i>Rhode-Island,</i>	Mr. Arnold,	no	
	Mr. Howell,	ay	} divided.



<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Hamilton,</i>	<i>ay</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Clark,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>M<sup>c</sup>Kean,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Wharton,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Maddison,</i>	<i>ay</i>	}	*
<i>North-Carolina,</i>	Mr. <i>Nash,</i>	<i>ay</i>		
	Mr. <i>Williamson,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Blount,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>ay</i>
	Mr. <i>Ramsay,</i>	<i>ay</i>		
	Mr. <i>Izard,</i>	<i>ay</i>		

So the question was lost.

A motion was then made by Mr. Osgood, seconded by Mr. Gilman, as follows :

Whereas it appears, that there are two brigades of troops of the Massachusetts line now commanded by colonels ; therefore,

*Resolved,* That colonel John Greateon, and colonel William Shepard, the two senior colonels in the Massachusetts line of officers be, and hereby are promoted to the rank of brigadiers-general in the army of the United States.

And on the question to agree to the motion, the yeas and nays being required by Mr. Osgood,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>White,</i>	<i>ay</i>		
<i>Massachusetts,</i>	Mr. <i>Osgood,</i>	<i>ay</i>	}	*
<i>Rhode-Island,</i>	Mr. <i>Arnold,</i>	<i>ay</i>		
	Mr. <i>Howell,</i>	<i>ay</i>	}	<i>ay</i>
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>no</i>		
	Mr. <i>Hamilton,</i>	<i>no</i>	}	<i>no</i>
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>		
	Mr. <i>Clark,</i>	<i>no</i>	}	<i>no</i>
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i>		
	Mr. <i>Peters,</i>	<i>no</i>	}	<i>no</i>
<i>Delaware,</i>	Mr. <i>M<sup>c</sup>Kean,</i>	<i>no</i>		
	Mr. <i>Wharton,</i>	<i>no</i>	}	<i>no</i>
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Madison,</i>	<i>no</i>	}	*
<i>North-Carolina,</i>	Mr. <i>Nash,</i>	<i>no</i>		
	Mr. <i>Williamson,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Blount,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Ramsay,</i>	<i>ay</i>		
	Mr. <i>Izard,</i>	<i>no</i>		

So the motion was lost.

The committee, consisting of Mr. Ramsay, Mr. Nash and Mr.



Peters, to whom was recommitted the draught of the supplemental ordinance for regulating the post-office, reported the draught of an ordinance for amending the ordinance for regulating the post-office of the United States, which was read a first time :

*Ordered*, That Friday next be assigned for the second reading.

— — — — —  
*THURSDAY, December 5, 1782.*

According to the order of the day, Congress proceeded to the election of two judges for the court of appeals in cases of capture, and the ballots being taken,

Mr. John Lowell, and Mr. George Read, were elected, the former having been nominated by Mr. Osgood, and the latter by Mr. Fitzsimmons.

Congress resumed the consideration of the report of the committee, on the report of a committee on governor Clinton's letter of the 16th of September, &c. as entered on the journal of the 14th of November last; and the same being postponed,

A motion was made by Mr. M'Kean, seconded by Mr. Hamilton, in the words following :

Whereas it appears to Congress, by authentic documents, that the people inhabiting the district of country on the west side of Connecticut river, commonly called the New-Hampshire Grants, and claiming to be an independent state, in contempt of the authority of Congress, and in direct violation of their resolutions of the 24th of September, 1779, and of the 2d of June, 1780, did, in the month of September last, proceed to exercise jurisdiction over the persons and properties of sundry inhabitants of the said district, professing themselves to be subjects of, and to owe allegiance to the state of New-York, by means whereof divers of them have been condemned to banishment, not to return on pain of death and confiscation of estate, and others have been fined in large sums and otherwise deprived of property ; therefore,

*Resolved*, That the said acts and proceedings of the said people, being highly derogatory to the authority of the United States, and dangerous to the confederacy, require the immediate and decided interposition of Congress, for the protection and relief of such as have suffered by them, and for preserving peace in the said district, until a decision shall be had of the controversy, relative to the jurisdiction of the same :

That the people inhabiting the said district, claiming to be independent, be, and they are hereby required, without delay, to make full and ample restitution to Timothy Church, Timothy Phelps, Henry Evans, William Shattuck and such others as have been condemned to banishment and confiscation of estate, or have otherwise been deprived of property since the first day of September last, for the damages they have sustained by the acts and proceedings aforesaid ; and that they be not molested in their persons or properties, on their return to their habitations in the said district :

That the United States will take effectual measures to enforce a compliance with the aforesaid resolutions, in case the same shall be disobeyed by the people of the said district :



That no persons holding commissions under the state of New-York, or under the people of the said district claiming to be independent, exercise any authority over the persons and properties of any inhabitants in the said district, contrary to the forementioned resolutions of the 24th of September, 1779, and the 2d of June, 1780:

That a copy of the foregoing resolutions be transmitted to Thomas Chittenden, Esq; of Bennington, in the district aforesaid, to be communicated to the people thereof.

A motion was made by Mr. Howell, seconded by Mr. Clark, to strike out the following clause: "That the United States will take effectual measures to enforce a compliance with the aforesaid resolutions, in case the same shall be disobeyed by the people of the said district."

A motion was made by Mr. Madison, seconded by Mr. McKean, that the question for striking out the clause be postponed, until a question is taken on a motion for amending a previous part of the motion, by striking out the words "and dangerous to the confederacy, require the immediate and decided interposition of Congress," and in lieu thereof, inserting "interposed in pursuance of the act passed on the day of \_\_\_\_\_ by the state of New-Hampshire, and the act passed on the \_\_\_\_\_ day of \_\_\_\_\_ by the state of New-York, two of the states claiming the same, and for the purpose of preserving the peace and interests of the confederacy, require immediate and effectual measures:"

And on the question for postponing, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	no	}	no
<i>New-York,</i>	Mr. Floyd,	ay		
	Mr. Hamilton,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Clark,	no	}	divided.
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay		
	Mr. Peters,	ay	}	ay
<i>Delaware,</i>	Mr. McKean,	ay		
	Mr. Wharton,	ay	}	ay
<i>Virginia,</i>	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
<i>North-Carolina,</i>	Mr. Nash,	ay		
	Mr. Williamson,	ay	}	ay
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay	}	

So the question was lost.

On the question, shall the clause moved to be struck out stand? the yeas and nays being required by Mr. Howell,



<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
	Mr. Arnold,	no		
<i>Rhode-Island,</i>	Mr. Howell,	no	}	no
	Mr. Floyd,	ay		
<i>New-York,</i>	Mr. Hamilton,	ay	}	ay
	Mr. Boudinot,	no		
<i>New-Jersey,</i>	Mr. Clark,	no	}	no
	Mr. Fitzsimmons,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	ay
	Mr. M <sup>c</sup> Kean,	ay		
<i>Delaware,</i>	Mr. Wharton,	ay	}	ay
	Mr. Jones,	ay		
<i>Virginia,</i>	Mr. Madison,	ay	}	ay
	Mr. Nash,	no		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		

So it was resolved in the affirmative.

The motion for amending the former part of the original motion, as before recited, was then made by Mr. Madison, seconded by Mr. M<sup>c</sup>Kean :

And on the question to agree to the amendment, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	divided.
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	no	}	*
	Mr. Arnold,	no		
<i>Rhode-Island,</i>	Mr. Howell,	no	}	no
	Mr. Floyd,	ay		
<i>New-York,</i>	Mr. Hamilton,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Clark,	no	}	divided.
	Mr. Fitzsimmons,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	ay
	Mr. M <sup>c</sup> Kean,	ay		
<i>Delaware,</i>	Mr. Wharton,	ay	}	ay
	Mr. Carroll,	ay		
<i>Maryland,</i>	Mr. Jones,	ay	}	*
	Mr. Madison,	ay		
<i>Virginia,</i>	Mr. Nash,	ay	}	ay
	Mr. Williamson,	ay		
<i>North-Carolina,</i>	Mr. Blount,	ay	}	ay
	Mr. Rutledge,	ay		
<i>South-Carolina,</i>	Mr. Ramsay,	ay	}	ay
	Mr. Izard,	ay		
		ay		

So the amendment was lost.



On the question to agree to the original motion, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	*
<i>Rhode-Island,</i>	Mr. Arnold,	no		
	Mr. Howell,	no	}	no
<i>New-York,</i>	Mr. Floyd,	ay		
	Mr. Hamilton,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay		
	Mr. Peters,	ay	}	ay
<i>Delaware,</i>	Mr. M'Kean,	ay		
	Mr. Wharton,	ay	}	ay
<i>Maryland,</i>	Mr. Carroll,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	*
	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Nash,	no	}	ay
	Mr. Williamson,	ay		
	Mr. Blount,	ay	}	ay
<i>South-Carolina,</i>	Mr. Rutledge,	no		
	Mr. Ramsay,	ay	}	ay
	Mr. Izard,	ay		

So it was resolved in the affirmative.

FRIDAY, December 6, 1782.

On motion of Mr. Williamson, seconded by Mr. Carroll :

Whereas there is reason to suspect, that as well the national character of the United States and the honor of Congress, as the finances of the said states may be injured, and the public service greatly retarded, by some publications that have been made concerning the foreign affairs of said states :

*Resolved,* That a committee be appointed to enquire into this subject, and report what steps they conceive are necessary to be taken thereon.

According to the order of the day, the ordinance for amending the ordinance for regulating the post-office of the United States was read a second time ; and the question being put, shall this ordinance be read a third time ? was lost.

*Ordered,* That a letter of the 5th of November, from the adjutant-general to the secretary at war, be referred to a committee, and that the committee be instructed to consider the general subject of franks, in order to extend or restrain the privilege as they may find necessary.

A motion was made by Mr. Hamilton, seconded by Mr. Rutledge,

That the superintendant of finance be, and he is hereby directed to represent to the legislatures of the several states, the indispensable necessity for their complying with the requisitions of Congress, for raising 1,200,000 dollars, for paying a year's interest of the domestic debt of the United States, and 2,000,000 dollars towards defraying the expenses of the estimate for the ensuing year, and the inconveniencies,



embarrassments and injuries to the public service, which will arise from the states individually making appropriations of any part of the said 2,000,000 of dollars, or of any other monies required by the United States in Congress assembled, assuring them withal that Congress are determined to make the fullest justice to the public creditors an invariable object of their counsels and exertions: That a deputation be sent to the state of Rhode-Island, for the purpose of making a full and just representation of the public affairs of the United States, and of urging the absolute necessity of a compliance with the resolution of Congress of the 3d day of February, 1781, respecting the duty on imports and prizes, as a measure essential to the safety and reputation of these states.

When the question was about to be put, a division was called for by Mr. Howell; and on the question to agree to the first part, as far as "exertions" inclusive, the yeas and nays being required by Mr. Izard:

*Resolved unanimously*, in the affirmative, every member answering ay.

On the question to agree to the second part, "that a deputation," &c. to the end, the yeas and nays being required by Mr. Izard,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Osgood,	ay	} *
	Mr. Arnold,	no	
<i>Rhode-Island,</i>	Mr. Howell,	no	} no
	Mr. Floyd,	ay	
<i>New-York,</i>	Mr. Hamilton,	ay	} ay
	Mr. Boudinot,	ay	
<i>New-Jersey,</i>	Mr. Clark,	ay	} ay
	Mr. Fitzsimmons,	ay	
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	} ay
	Mr. Carroll,	ay	
<i>Maryland,</i>	Mr. Jones,	ay	} *
	Mr. Madison,	ay	
<i>Virginia,</i>	Mr. Nash,	ay	} ay
	Mr. Williamson,	ay	
<i>North-Carolina,</i>	Mr. Blount,	ay	} ay
	Mr. Rutledge,	ay	
<i>South-Carolina,</i>	Mr. Ramsay,	ay	} ay
	Mr. Izard,	ay	

So it was resolved in the affirmative.

*Resolved*, That the deputation consist of three members, and that previous to their departure they confer with the superintendant of finance, the secretary at war and the secretary for foreign affairs, who are hereby directed to communicate to them such information, from their respective departments, as may be most conducive to the end proposed:

The members chosen, Mr. Osgood, Mr. Mifflin and Mr. Nash.

TUESDAY, December 10, 1782.

Mr. Carroll laid before Congress a letter of the 6th, from the pre-



fidest of the senate and speaker of the house of delegates of Maryland, informing him of his being chosen a delegate to Congress for the ensuing year.

Pursuant to the order of the 18th of November last, the superintendent of finance reported the draught of a letter to Thomas Barclay, Esq; commissioner for settling the public accounts in Europe, containing instructions to the said commissioner; and the same being read,

*Ordered*, That it be returned to the superintendent to be transmitted.

—•—  
*WEDNESDAY, December 11, 1782.*

On the application of the secretary at war,

*Ordered*, That he have leave of absence to visit his family.

On the report of a committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons,

*Resolved*, That the following letter be sent to the governor of Rhode-Island and Providence Plantations, with the deputation appointed to proceed to that state:

SIR,

Congress are equally affected and alarmed by the information they have received, that the legislature of your state, at their last meeting, have refused their concurrence in the establishment of a duty on imports. They consider this measure as so indispensable to the prosecution of the war, that a sense of duty and regard to the common safety, compel them to renew their efforts to engage a compliance with it; and in this view they have determined to send a deputation of three of their members to your state, as expressed in the enclosed resolution. The gentlemen they have appointed will be able to lay before you a full and just representation of the public affairs, from which, they flatter themselves, will result a conviction of the propriety of their solicitude upon the present occasion. Convinced by past experience of the zeal and patriotism of the state of Rhode-Island, they cannot doubt that it will yield to those urgent considerations which flow from a knowledge of our true situation. They will only briefly observe, that the increasing discontents of the army, the loud clamours of the public creditors, and the extreme disproportion between the current supplies and the demands of the public service, are so many invincible arguments for the fund recommended by Congress. They feel themselves unable to devise any other that will be more efficacious, less exceptionable or more generally agreeable, and if this is rejected, they anticipate calamities of a most menacing nature, with this consolation, however, that they have faithfully discharged their trust, and that the mischiefs which may follow, cannot be attributed to them.

A principal object of the proposed fund is, to procure loans abroad. If no security can be held out to lenders, the success of these must necessarily be very limited. The last accounts on the subject were not flattering, and when intelligence shall arrive in Europe, that the state of Rhode-Island has disagreed to the only fund which has yet been devised, there is every reason to apprehend it will have a fatal influence on their future progress. Deprived of this resource, our affairs must, in all probability, rapidly hasten to a dangerous crisis, and these states be involved in greater embarrassments than they have yet experienced,



and from which it may be much more difficult to emerge. Congress will only add a request to your excellency, that if the legislature should not be fitting, it may be called together as speedily as possible, to enable the gentlemen whom they have deputed to perform the purpose of their mission.

On a report of the secretary at war,

*Resolved*, That it be recommended to the state of Rhode-Island, to settle major William Peck's depreciation in the manner they have adjusted the depreciation of the officers of their line.

—  
*THURSDAY, December 12, 1782.*

Mr. Nathaniel Gorham, a delegate for the state of Massachusetts, attended, and produced the credentials of his appointment, which were read, and by which it appears, that on the 24th of October last, he was elected to serve for one year, to commence the first Monday of November, 1782.

Mr. John Collins, a delegate for the state of Rhode-Island and Providence Plantations, attended, and produced the credentials of his appointment, by which it appears, that on the first Wednesday in May last, he was chosen to represent that state in the Congress of the United States for one year, and until another shall appear to take his place.

A letter, of the 30th of November, from the speaker of the lower house of assembly of the state of Rhode-Island, being read,

A motion was made by Mr. Howell, seconded by Mr. Arnold, in the words following :

“ Whereas a letter to his excellency the president of Congress, from the lower house of assembly of the state of Rhode-Island and Providence Plantations, hath been this day read in Congress, in the words and figures following, to wit :

*East-Greenwich, November 30, 1782.*

SIR,

In obedience to the direction of the lower house of assembly of this state, I have the honor to enclose to your excellency their unanimous resolutions on the recommendation of Congress, respecting an impost on imported goods, &c. and to state some of the principal reasons which produced that resolution. The recommendation was rejected.

1st. Because it would be unequal in its operation, bearing hardest on the most commercial states, and so would press peculiarly hard upon this state, which draws its chief support from commerce :

2dly. Because it proposes to introduce into this and the other states, officers unknown and unaccountable to them, and so is against the constitution of this state : and

3dly. Because, by granting to Congress a power to collect monies from the commerce of these states, indefinitely as to time and quantity, and for the expenditure of which they are not to be accountable to the states, they would become independent of their constituents ; and so the proposed impost is repugnant to the liberty of the United States.

Many more reasons might be offered, and the subject drawn out to a great length, by descending to particulars ; but these are sufficient to answer the main design of the house, which is to shew a decent ref-



pect to the states which have differed from them in opinion upon this subject.

This state may be justly ranked among the foremost in the common cause, having furnished in support of it as many men, and as much money, in proportion to its abilities, as any state in the union, and much more than most of them, and it is still disposed to continue its exertions; but it will raise and collect its quota of public taxes in such a way as shall be judged most proper.

And it is hoped, that when its resolutions are founded on the great principles of liberty and a general interest, it will not be thought to suspect the public virtue of the present Congress, by withholding from them or their servants, a power of which their successors might make a dangerous use.

With the highest sentiments of respect for your excellency, and the honorable assembly over which you preside, I am your excellency's most obedient servant,

WILLIAM BRADFORD, *Speaker.*

"Wherefore *Resolved*, That the resolution of the 6th of December inst. for appointing a deputation to be sent to the state of Rhode-Island, for the purpose of making a full and just representation of the public affairs of the United States, and of urging the absolute necessity of a compliance with the resolution of Congress of the 3d day of February, 1781, respecting the duty on imports and prizes, as a measure essential to the safety and reputation of these states, be, and the same is hereby repealed."

On this motion the previous question was moved by the state of New-York, seconded by the state of New-Hampshire, that the question be not now put:

And on the question to agree to the previous question, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
	Mr. Howell,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Mifflin,	ay		
<i>Delaware,</i>	Mr. M'Kean,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
<i>Virginia,</i>	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Nash,	ay	}	ay
	Mr. Williamson,	ay		
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Ramsay,	ay	}	ay
	Mr. Gervais,	ay		



So it was resolved in the affirmative, and the main question was set aside.

On the report of a committee, consisting of Mr. Carroll, Mr. Ofgood and Mr. Gilman, to whom were referred the letter and report of the secretary at war, on the subject of future promotions of colonels or lieutenant-colonels commandant to the rank of brigadiers :

*Resolved*, That for the purpose of promotions of colonels or lieutenant-colonels commandant in the army of the United States, to the rank of brigadiers, the army of the United States shall be considered as classed in the following divisions : The eastern, the middle and the southern : the troops of New-Hampshire, Massachusetts, Rhode-Island and Connecticut, shall form the eastern : those of New-York, New-Jersey, Pennsylvania, Delaware and Maryland, the middle : and those of Virginia, North-Carolina, South-Carolina and Georgia, the southern division :

That whensoever it shall be deemed necessary for the command of troops in service, to appoint brigadiers in any state or states, where the number of troops in the field are sufficient to form one or more brigades, the brigadiers shall be appointed from the senior colonels or lieutenant-colonels commandant in the lines of such states ; and when brigadiers shall be wanted to command brigades within any of the divisions composed of the troops of such states who have not individually numbers in the field sufficient to form a brigade, the brigadiers shall be appointed from the senior colonels or lieutenant-colonels commandant in such brigades.

*Ordered*, That so much of the report as recommends certain officers to be promoted to the rank of brigadiers, be referred to the secretary at war to report.

The superintendent of finance, to whom was referred a memorial of Reyer Schermerhorn, reports,

“ That from the face of the said memorial, it appears that the case of Mr. Schermerhorn falls within the perview of the resolutions of the 20th of February, 1782.”

*Resolved*, That Congress agree to the said report :

The committee, consisting of Mr. Williamson, Mr. Carroll and Mr. Madison, appointed to consider how far the honor of Congress and the finances of the United States may be affected by certain late publications on the subject of foreign loans, &c. report,

“ That among the different publications which have lately been made concerning foreign loans, they have particularly attended to a very remarkable extract of a letter, published in the Boston Gazette, of November 10, 1782, under the Providence head, which is there said to be an extract of a letter from a gentleman in Philadelphia to his friend in that town, dated October 16 ; in which are the following observations : “ This day letters have been read in Congress from Mr. Adams, of the 16th of August, and Mr. Dumas, his secretary, of the 19th. The loan he is negotiating fills as fast as could be expected. The national importance of the United States is constantly rising in the estimation of European powers and the civilized world. Such is there credit, that they have of late failed in no application



for foreign loans, and the only danger on that score is, that of contracting too large a debt."

"Your committee have examined the several letters that have been received from Mr. Adams, your minister at the Hague, in the course of the last six months, as well as those from Mr. Dumas, and the sundry letters which have been received from your ministers at Versailles and Madrid, on the subject of loans, in the course of the present year, and they are sorry to observe, that the positions just referred to, on the subject of loans, are not only ill founded, but some of them are expressly contradicted by the letters of your ministers at foreign courts; and whereas the above extract, from its date, and particular mention of other dates, is so drawn as to give reason to suspect that it was written by a member of Congress, or by some person officially entrusted with their papers; and as the duty and honor of Congress require that they should endeavour to detect and prevent misrepresentations of this kind:

"*Resolved*, That the secretary for foreign affairs be instructed to write to the executive of Rhode-Island, requesting them to enquire through what channel the above communication was made, or who is the supposed author of the extract referred to, and report accordingly."

*Resolved*, That Congress agree to the said report.

*Ordered*, That the further report of the committee be postponed.

On the application of Mr. Howell,

*Ordered*, That he have leave of absence.

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*FRIDAY, December 13, 1782.*

Mr. Elmer, a delegate for New-Jersey, attended, and took his seat. On a report from the secretary at war,

*Resolved*, That every officer whose duty requires his being on horseback, who shall have his horse killed or wounded and disabled by the enemy, or whose horse shall fall into the enemy's hands without his own manifest fault or misconduct, shall be entitled to receive of the quarter-master-general or his deputy, the just value of such horse, to be appraised on oath, or on the honor of the appraisers, if commissioned officers, provided the same does not exceed 120 dollars; provided also, that if the wounded or disabled horse be brought off, he shall be delivered to some officer in the quarter-master's department, whose certificate shall be necessary to entitle the owner to compensation; provided also, that before any compensation shall be made for horses lost in manner before-mentioned, the necessary facts shall be proved to the satisfaction of the quarter-master-general or his deputy, to whom application shall be made relative to any such losses as have already happened, and in future, by the certificate upon honor of at least one commissioned officer, or the oath of a non-commissioned officer or soldier not interested therein, countersigned by the commanding-officer of the army, brigade, corps or detachment, to which the claimant did at the time belong, unless he be the general commanding where the loss accrued, in which case his own certificate upon honor shall entitle him to compensation in manner aforesaid. This resolution to have a retrospect to the first day of January, 1779: this resolution not to extend to officers who have already received compensation for horses lost since that day.



The secretary at war, to whom was referred so much of a petition of Belamy Crawford, as relates to clothing, rations, subsistence and extraordinary expenses, while a prisoner at Charlestown, having reported thereon :

*Ordered*, That the said petition, so far as referred to the secretary at war, be dismissed.

Congress proceeded by ballot to settle the rank of the two judges of the court of appeals, elected on the 5th, and the lots being drawn, the precedence was decided in favour of Mr. Reed.

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*MONDAY, December 16, 1782.*

On motion of Mr. Peters, seconded by Mr. McKean,

*Resolved*, That the honorable the executive of the state of Delaware be, and hereby are requested to give the necessary directions for providing quarters for the troops of his most Christian majesty, serving with the army of the United States, now on their march for Wilmington.

On the report of a committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons :

Whereas it is essential to justice and to the preservation of public credit, that whenever a nation is obliged by the exigencies of public affairs to contract a debt, proper funds should be established, not only for paying the annual value or interest of the same, but for discharging the principal within a reasonable period, by which a nation may avoid the evils of an excessive accumulation of debt ; therefore,

*Resolved*, That whenever the net produce of any funds recommended by Congress and granted by the states, for funding the debt already contracted, or for procuring future loans for the support of the war, shall exceed the sum requisite for paying the interest of the whole amount of the national debt, which these states may owe at the termination of the present war, the surplus of such grants shall form a sinking fund, to be inviolably appropriated to the payment of the principal of the said debt, and shall on no account be diverted to any other purpose.

And in order that the several states may have proper information of the state of their finances, it is further

*Resolved*, That as soon as the public debt can be liquidated, each state be annually furnished with the amount thereof and the interest thereon, and also of the proceeds and disposition of the funds provided for the redemption thereof.

*Resolved*, That the faith of the United States be pledged for the observance of the foregoing resolution ; and that if any state shall think it necessary to make it a condition of their grants, the same will be considered by Congress as consistent with their resolution of the 3d of February, 1781.

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*TUESDAY, December 17, 1782.*

The committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons, to whom was referred a motion of Mr. Clark, report as their opinion, that the deputation appointed to go to the state of Rhode-Island, ought to proceed as soon as possible.

*Resolved*, That Congress agree to the said report.



WEDNESDAY, December 18, 1782.

Mr. J. Montgomery, a delegate for Pennsylvania, attended, and took his seat.

On the report of a committee, consisting of Mr. Carroll, Mr. Williamson and Mr. Wharton, to whom was referred a letter from G. Bond :

*Resolved*, That the superintendant of finance take order for the payment of 400 dollars to George Bond, deputy secretary of Congress, for extra service.

On the report of a committee, consisting of Mr. Ramsay, Mr. Nash and Mr. Peters, to whom was referred a letter of 22d November, from E. Hazard and J. Bryson, relative to an explanation of the resolution of Congress of the 12th of December, 1780 :

*Resolved*, That the auditors of accounts, in settling the accounts of the post-office department, be authorized to give the same retrospect to the allowance for travelling expenses as to the yearly salary of the surveyors of the post-roads.

The secretary at war, to whom were referred sundry charges against S. Hodgdon, late commissary of military-stores, a petition of Mary Coren and an affidavit of J. Hall, respecting the conduct of the said Hodgdon, with orders to proceed by court of enquiry or court-martial, against the said Hodgdon, in order that he may be acquitted or condemned, according to the law martial, of the charges exhibited against him ; having laid before Congress the proceedings of a court of enquiry appointed pursuant to the above orders ; and the said proceedings and report of the said court being read,

*Ordered*, That the charges above-mentioned be dismissed.

A motion being before the house in the words following :

“ That the secretary for foreign affairs be discharged from the instruction given him on the 12th inst. Mr. Howell, a delegate from the state of Rhode-Island, having acknowledged himself the author of the extract of the letter quoted in the report of the committee.”

A motion was made by Mr. Howell, to postpone the consideration of the motion before the house, to make way for one he read in his place, in the words following :

David Howell, of Providence, in the state of Rhode-Island and Providence Plantations, now a delegate in Congress for said state, having in his place made the following declaration, viz.

That he hath, in sundry letters to his constituents, written largely on the public affairs, both foreign and domestic, of the United States, particularly in a letter of 15 pages, in folio, directed to his excellency William Greene, Esq; governor of said state, and in another, less copious, directed to John Carter, Esq; printer of the Providence Gazette; from one of which, he doubts not, was extracted a certain paragraph in the Providence Gazette of the 2d day of November last, as follows, viz.

“ This day letters have been read in Congress from Mr. Adams, of the 16th of August ; Mr. Dumas, his secretary, of the 19th. The loan he is negotiating fills as fast as could be expected \* \* \* \* The national importance of the United States is constantly rising in the estimation of European powers and the civilized world \* \* \* \* Such is their credit, that they have of late failed in no application for



foreign loans, and the danger on that score is, that of contracting too large a debt."

\* \* \* \* \* *desunt non nulla* \* \* \* \* \*

But not having copies of said letters, he is at present unable to identify the words and sentences: the substance he avows to have written, not only in said letters, but others on sundry occasions. At the same time absolutely protesting generally against any power exercised or claimed by Congress, to call any member of their body to account for any information which he may think proper to communicate to his constituents (the secrets only of Congress excepted) and more especially against any power in the present Congress to call to account a member of the late Congress. Further alleging and protesting, that the resolve of the                    day of December inst. appointing a committee of Congress on late publications, is a departure from the dignity of Congress, and tends to establish a precedent dangerous to the freedom of the press, the palladium of liberty, civil and religious: and that the resolve of the                    day of December inst. accepting the report of said committee, against a certain paragraph in a newspaper, and demanding the writer thereof to be delivered up by the executive of the state of Rhode-Island, is in effect an infraction of the 5th article of the confederation, which allows freedom of speech and debate in Congress, and of course a free communication of such speeches and debates, to their constituents, by the members of Congress, without being accountable to that body for the propriety of what is said, debated or communicated; and declaring that the facts stated in the said paragraph, respecting foreign loans, are substantially true, and can be established by authentic documents, in possession of Congress, there having been no eventual and final failure in any late application; that the opinions advanced, were such as he entertained and declared on the floor of Congress, when the sum of a foreign loan was agitated, as the yeas and nays on the journal will manifest, and such as he still retains, and in which he is not alone; that great injustice may be done to the most cautious writer, by publishing a single paragraph only of a letter (of which however he does not in this case complain) and still greater by a committee of Congress reporting only a part of such paragraph, and thereby fixing it on the journals in such a detached and maimed condition, of which he does complain; and alleges, that such proceeding threatens the privileges and endangers the characters of members of Congress; that such a mode of inquisition, established by authority of Congress, has a tendency to erect a system of despotism, by deterring the minority from writing freely to their constituents such things as they have a right to know, lest their letters should be intercepted, published, and in detached paragraphs injuriously fixed on the journals of Congress, by an overbearing majority; that it is well known that in his private opinion he is, has been, and has a right to be against the five per cent. impost; his constituents expected him to oppose it, that he has been faithful to them in that particular will not be denied. He is happy to find that the state he has the honor to represent, has unanimously rejected that dangerous measure, by a solemn determination of the lower



house of assembly, on the first day of November last, 53 members being present. If the part he has taken in that regard, has drawn on him the resentment of any, he will endeavour to sustain it with a fortitude becoming the cause of freedom and his country, which in every part of his conduct he has uniformly supported, and for proof, appeals to the journals of Congress. His constituents have hitherto approved his conduct, and he trusts they will not fail to support him. He considers himself as their servant, and to them alone he is accountable for his doings; and under them the servant of the United States, and not the servant of Congress. The declaration and protest foregoing, being duly considered, resolved, that the resolution of in the words following, viz. "Resolved, that the secretary for foreign affairs be instructed to write to the executive of Rhode-Island, requesting them to enquire through what channel the above communication was made, or who is the supposed author of the extract referred to, and report accordingly," be, and the same is hereby revoked.

This motion of Mr. Howell being seconded by Mr. Arnold, and on the question to agree to it, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	no	}	no
	Mr. Gorham,	no		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	ay
	Mr. Arnold,	ay		
	Mr. Howell,	ay		
<i>New-York,</i>	Mr. Floyd,	no	}	no
	Mr. Hamilton,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Peters,	no		
	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. M'Kean,	no	}	*
<i>Maryland,</i>	Mr. Carroll,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
<i>North-Carolina,</i>	Mr. Nash,	no	}	no
	Mr. Williamson,	no		
	Mr. Blount,	no		
<i>South-Carolina,</i>	Mr. Ramsay,	no	}	no
	Mr. Izard,	no		
	Mr. Gervais,	no		

So it passed in the negative.

A question was then taken on the motion before the house; whereupon it was

*Resolved,* That the secretary for foreign affairs be discharged from the instruction given him on the 12th inst. Mr. Howell, a delegate from the state of Rhode-Island, having acknowledged himself the author of the extract of the letter quoted in the report of the committee of that day.



A motion was then made by Mr. Hamilton, seconded by Mr. Carroll, in the words following :

“ Congress having in respect to the articles of confederation, admitted on their journals an entry of a motion made by Mr. Howell, seconded by Mr. Arnold, highly derogatory to the honor and dignity of the United States in Congress assembled :

*Resolved*, That a committee be appointed to report such measures as it will be proper for Congress to take thereupon.”

A motion was made by Mr. Arnold, seconded by Mr. Howell, to strike out the words “ highly derogatory to the honor and dignity of the United States in Congress assembled :”

And on the question, shall the words moved to be struck out stand ? the yeas and nays being required by Mr. Arnold,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
	Mr. Howell,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Peters,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. M <sup>c</sup> Kean,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
<i>Virginia,</i>	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Nash,	ay	}	ay
	Mr. Williamson,	ay		
	Mr. Blount,	ay		
<i>South-Carolina,</i>	Mr. Ramsay,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So it was resolved in the affirmative.

On the question to agree to the motion, resolved in the affirmative.

Members chosen for the foregoing committee, Mr. Gilman, Mr. Hamilton and Mr. Madison.

THURSDAY, December 19, 1782.

*Ordered*, That the order of the day for electing a secretary for foreign affairs, be postponed till Thursday next.

On the report of a committee, consisting of Mr. Clark, Mr. Fitzsimmons and Mr. Carroll, to whom was referred a letter of the 12th, from the secretary at war, respecting the pay of artificers in colonel Baldwin's regiment :

*Resolved*, That all the artificers, who have not been settled with up



to the last day of December, 1781, be settled with for pay and depreciation from the first day of August, 1780, to the last day of December, 1781, at the rate of 12 dollars per month, and upon such settlement receive the same in funded certificates.

The committee, consisting of Mr. Ramsay, Mr. Nash and Mr. Peters, to whom was re-committed the draught of a supplementary ordinance for regulating the post-office, reported another draught, which was read a first time, and to-morrow assigned for the second reading.

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FRIDAY, December 20, 1782.

On the report of the committee, appointed to report such measures as it will be proper for Congress to take in consequence of the motion made by Mr. Howell on the 18th instant :

*Resolved*, That the said motion, with the preceding resolutions of Congress, to which it refers, be transmitted by the secretary for foreign affairs to the executive authority of the state of Rhode-Island, with an authenticated state of the several applications for foreign loans, and the result thereof.

On the report of a committee, consisting of Mr. Madison, Mr. Peters and Mr. Gilman, to whom were referred letters of Jacob Cuyler and Isaac Tichenor, on the subject of suits brought against the said Tichenor, for debts contracted by him on account of provisions furnished the troops in the service of the United States :

*Resolved*, That copies of the letters of Jacob Cuyler and Isaac Tichenor, relative to suits brought against the said Tichenor, in New-Hampshire, for debts contracted by him for supplies purchased for the service of the United States, be transmitted to and recommended to the attention of the said state.

Mr. Ellsworth and Mr. Wolcott, two delegates for the state of Connecticut, attended, and produced credentials, which were read, and by which it appears, that on the second Thursday of May, 1782, the day appointed by law for the choice of delegates, Samuel Huntington, Esq; Oliver Ellsworth, Esq; Richard Law, Esq; Jesse Root, Esq; Oliver Wolcott, Esq; Benjamin Huntington, Esq; and Jedediah Strong, Esq; were elected delegates to represent that state in the Congress of the United States.

The supplementary ordinance for regulating the post-office was read a second time, and Monday next assigned for the third reading.

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SATURDAY, December 21, 1782.

Mr. Hawkins, a delegate for the state of North-Carolina, attended, and took his seat in Congress.

The committee, consisting of Mr. Madison, Mr. Rutledge and Mr. Gilman, appointed to confer with the secretary for foreign affairs, on the subject of his department, report, " that he is willing, if it be the desire of Congress, to remain in the said department until the ensuing spring, but that it will be necessary for him to make a short visit to the state of New-York in the month of January, which the committee think will not probably interfere with the public business ;" whereupon,

*Resolved*, That the election of a secretary for foreign affairs be



postponed until the first Monday in May next; and that Mr. Livingston be requested to continue to discharge the duties of that department until such election shall be made; and that he have leave of absence, for the purpose of making a visit to the state of New-York.

On the report of the superintendant of finance, to whom was referred a report of a committee, on a letter of the 2d of August, from the said superintendant:

*Resolved*, That the commissioners for settling accounts, according to the act of the 20th of February last, do receive lottery tickets as vouchers for the prizes which may have been drawn to such tickets, and certify the same as debts of the United States, at and after the rate of one dollar in specie for every 40 dollars of such prizes.

On the question to agree to the above, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Gorham,	no	}	*
	Mr. Collins,	ay		
<i>Rhode-Island,</i>	Mr. Ellsworth,	no	}	no
	Mr. Wolcott,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Elmer,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. M'Kean,	ay	}	ay
	Mr. Wharton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
	Mr. Jones,	ay		
<i>Virginia,</i>	Mr. Madison,	ay	}	ay
	Mr. Hawkins,	ay		
	Mr. Williamson,	ay		
<i>North-Carolina,</i>	Mr. Blount,	ay	}	ay
	Mr. Rutledge,	ay		
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So it was resolved in the affirmative.

MONDAY, December 23, 1782.

The committee, consisting of Mr. Madison, Mr. Hamilton and Mr. M'Kean, to whom were referred a letter from major-general Greene, of the 28th of October last, and sundry papers accompanying the same, having made the following report:

" That it appears from the papers referred, that the executive authority of the state of South-Carolina, had claimed in behalf of the original owners, citizens of the said state, sundry horses re-captured on



land, from the enemy, by a detachment of the forces of the United States, on the general principle that original owners are entitled to restitution of all re-captured property; that a council of war, to which the said claim was referred by major-general Greene, had decided against its validity, and that he has finally submitted the case to Congress.

On this subject the committee beg leave to observe, that by the 9th of the articles of confederation, the United States in Congress assembled, are invested with the sole and exclusive right and power *inter alia*, of establishing rules for deciding in all cases what captures on land or water shall be legal, and in what manner prizes taken by land, or naval forces in the service of the United States, shall be divided or appropriated, which power, as it involves that of deciding on the right of the enemy to the property captured, necessarily extends to cases of re-capture:

That with respect to captures and re-captures on water, general provision hath been made by several ordinances and acts of Congress:

That with respect to captures on land, partial provision only hath been made; and for cases of re-capture on land, no provision at all, it having been left to the discretion of the military commanders to conform, in the cases omitted, to the general rules of justice and the customs of war, as observed by civilized nations:

That the particular case in question, having been decided in the mode practised in the army in like instances, cannot with propriety be re-judged by Congress, to whom is delegated in cases of capture, a legislative only, and not a judiciary authority:

That nevertheless, since it is both the duty and disposition of Congress, to render the arms of the United States as subservient as possible to the just interests of individuals, as well as to the general defence; and since restitution has been ordained to the original owners, in cases of re-capture on water of property previously captured by the enemy on land, the committee are of opinion, that it is expedient to remit in favour of the original owners, the property re-captured by colonel Kosciuszko, and retained for the use of the United States.

Upon this view of the subject, the committee propose the following resolutions:

1st. That Congress approve of the steps taken by major-general Greene, in the case of the property re-captured on land by colonel Kosciuszko, and claimed in behalf of the original owners, by the executive authority of the state of South-Carolina, as stated in his letter of the 28th of October last:

2d. That so much of the property re-captured as aforesaid, and accruing to the use of the United States, as shall be satisfactorily proven to have been captured from inhabitants of the United States, be remitted to the original proprietors, excepting only so much, or the value thereof, not exceeding  $\frac{1}{4}$ th of the whole value, as the said major-general Greene may have promised, or may be deemed by him a proper compensation to the re-captors:

3d. That leave be given to the committee to report an ordinance declaring in all cases what captures on land shall be legal, and in what manner the same shall be divided or appropriated.



The question being taken on the first resolution,  
Resolved in the affirmative.

When the second was under consideration,

A motion was made by Mr. Rutledge, seconded by Mr. Gervais, to  
strike out the words "and accruing to the use of the United States:"

And on the question, shall those words stand? the yeas and nays be-  
ing required by Mr. Gervais,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	no
	Mr. Arnold,	no		
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. Ellsworth,	ay	}	ay
	Mr. Wolcott,	ay		
<i>New-York,</i>	Mr. Floyd,	no	}	divided.
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Elmer,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Peters,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. M'Kean,	ay	}	ay
	Mr. Wharton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
	Mr. Jones,	ay		
<i>Virginia,</i>	Mr. Madison,	ay	}	ay
	Mr. Hawkins,	no		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Blount,	ay		
	Mr. Rutledge,	no		
<i>South-Carolina,</i>	Mr. Ramsay,	no	}	no
	Mr. Izard,	no		
	Mr. Gervais,	no		
		no		

So it was resolved in the affirmative.

— ❁ —

TUESDAY, December 24, 1782.

Congress resumed the consideration of the resolution under debate  
yesterday; and on the question to agree thereto,  
Resolved in the affirmative.

A question being taken on the third resolution,  
Resolved in the affirmative.

The supplementary ordinance for regulating the post-office was read  
a third time, and passed as follows:

*An ordinance for amending an ordinance for regulating the post-office  
of the United States of America:*

Whereas it hath been represented to Congress, since passing the  
ordinance for regulating the post-office of the United States of Ame-  
rica, that sundry alterations therein, and additions thereto, are neces-  
sary:



Be it ordained by the United States in Congress assembled, and it is hereby ordained by authority of the same, that the privilege of franking letters be, and the same is hereby extended to the inspector-general, the adjutant-general, the director of the hospitals, the quarter-master-general, the commissary of prisoners and the pay-master-general, of the army of the United States; and that the same privilege be, and the same is hereby extended to the officers at the heads of the like departments in any separate army; all letters to and from whom, on public business, shall pass free of postage; and in order to prevent the multiplicity of franks becoming too burthensome to the public,

Be it ordained and it is hereby ordained by the authority aforesaid, that the allowance not exceeding 20 per cent. on what would be the postage of free letters if they were charged, be discontinued, and that the public be charged with no farther commissions on free letters, though they contain enclosures, than the officers of the post-office would be entitled to on the postage of the same number of single letters coming the same distance:

And be it ordained by the authority aforesaid, that the clause in the ordinance of the 18th of October last, which directs the post-master-general and his deputies to furnish extraordinary expresses be, and the same is hereby repealed. Done, &c.

*Resolved*, That the quarter-master-general furnish all extraordinary expresses when the service requires them, any ordinance or resolution of Congress to the contrary notwithstanding.

On motion of Mr. Rutledge, seconded by Mr Fitzsimmons,

*Resolved*, That the post-master-general be directed to continue the southern post to Savannah, in Georgia; and that the superintendant of finance furnish the money necessary for that purpose.

Congress having received information that the state of Virginia has repealed its law agreeing to the duty on imports and prizes:

*Resolved*, That the deputation to Rhode-Island be for the present suspended; and that a committee be appointed to report such further measures as it may be proper for Congress to take upon the subject at large.

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FRIDAY, December 27, 1782.

Mr. Condict, a delegate for New-Jersey, attended, and took his seat.

On a report from the secretary for foreign affairs, to whom were referred sundry letters from Dr. Franklin and Mr. J. Adams;

*Resolved*, That Dr. Franklin be informed that the allowance he has heretofore made and now makes to Mr. William Temple Franklin, acting in the character of his secretary, meets the approbation of Congress; and that his future allowance be 300 louis d'ors per annum, until the farther order of Congress.

*Resolved*, That Mr. Adams be informed that Congress agree to the purchase he has made of a house at the Hague, on account of the United States, and direct him to take measures for transferring to them the title thereof. That on his furnishing an account of the balance still due on such purchase, the superintendant of finance take order for the payment thereof.



*MONDAY, December 30, 1782.*

His excellency the president having informed Congress that the hon. T. Jefferson was arrived in town :

*Ordered,* That Mr. Jefferson have access to the several offices of Congress, in order that he may gain a knowledge of the affairs of the United States, and prepare himself for the execution of the trust reposed in him.

The committee, consisting of Mr. Hamilton, Mr. Clark and Mr. Carroll, to whom was referred a letter of the 5th, from major-general the baron de Steuben, having conferred with him thereupon, submit to the consideration of Congress the following facts, resulting from the communications made to them, supported by the testimonials of the commander in chief and many other principal officers of the army :

1st. That the baron de Steuben was in Europe possessed of respectable military rank, and different posts of honor and emolument, which he relinquished to come to America and offer his services at a critical period of the war, and without any previous stipulations :

2dly. That on his arrival he actually engaged in the army in a very disinterested manner, and without compensations similar to those which had been made to several other foreign officers :

3dly. That under singular difficulties and embarrassments in the department in which he has been employed, he has rendered very important and substantial services, by introducing into the army a regular formation and exact discipline, and by establishing a spirit of order and œconomy in the interior administration of the regiments ; which, besides other advantages, have been productive of immense savings to the United States ; that in the commands in which he has been employed, he has upon all occasions conducted himself like a brave and experienced officer : the committee are therefore of opinion, that the sacrifices and services of the baron de Steuben, justly entitle him to the distinguished notice of Congress, and to a generous compensation, whenever the situation of public affairs will admit : the committee farther report, that the baron de Steuben has considerable arrearages of pay due to him from these states on a liquidated account, and that having exhausted his resources in past expenses, it is now indispensable that a sum of money should be paid him for his present support, and to enable him to take the field another campaign, and propose that the sum of 2400 dollars be paid to him for that purpose, and charged to his account aforesaid ; whereupon,

*Resolved,* That the foregoing proposal of the committee be referred to the superintendant of finance to take order.

The committee farther observing, that from the nature of the department in which the baron de Steuben is employed, he is under the necessity of making frequent journies, by which he incurs an additional expense, and is often deprived of the allowance of forage to which he is entitled ; thereupon,

*Resolved,* That the baron de Steuben be allowed 300 dollars per month, in lieu of his extra pay and of subsistence and forage for himself and family, including waggon as well as saddle horses ; and that these allowances hereafter cease.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr.



Madison and Mr. Rutledge, to whom were referred a letter of October the 9th, from major-general Greene, and one of the 5th, from brigadier-general Wayne, with sundry papers enclosed :

Whereas brigadier-general Wayne, commanding a detachment of the army of the United States, did, as appears by his proclamation of the 9th day of August last, with the advice and approbation of the governor and executive of the state of Georgia, enter into certain articles of agreement with sundry merchants, subjects of the crown of Great-Britain, then residing in Savannah, whereby it was provided that the said merchants should be permitted to remain unmolested with their effects, and to dispose thereof to the citizens of the United States, and after having so disposed of them, to export produce of the state of Georgia, to the amount of the goods so disposed of, to the next British post.

*Resolved*, That the convention or agreement entered into between brigadier-general Wayne and sundry inhabitants of the town of Savannah, subjects of the crown of Great-Britain, respecting the safety of their persons and property, and the exportation of produce of the state of Georgia, to the amount of the goods which they have or may dispose of to the citizens of the United States, to the nearest British post, be, and is hereby ratified ; and that all commanders of armed vessels, in the service of the United States, or belonging to any of the inhabitants thereof, do pay due regard to the passports which have or shall be given by the governor of the state of Georgia for the purposes aforesaid.

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TUESDAY, December 31, 1782.

Mr. Howell, a delegate for Rhode-Island, having requested that the letters of the 8th of April and 12th of August last, from Dr. Franklin to the superintendant of finance, which were read in Congress the 27th instant, be sent for ; and the same being laid before Congress and read :

*Ordered*, That the superintendant of finance lay before Congress such extracts from Dr. Franklin's letters of the 8th of April and 12th of August last, as Mr. Howell shall point out to him.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr. Madison and Mr. Hamilton, to whom were referred letters of the 22d and 24th from the secretary at war :

*Resolved*, That the resolutions of the 7th of August last, so far as relates to the lines of New-Hampshire, Rhode-Island and New-Jersey, be suspended till the 1st day of March next : and also, as to the Pennsylvania line, so far as to retain in service only the officers necessary to the completing of three regiments.

*Resolved*, That brigadier-general Hand be, and he is hereby continued in the office of adjutant-general.

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WEDNESDAY, January 1, 1783.

On a report of the secretary for foreign affairs :

The minister plenipotentiary of his most Christian majesty having communicated to Congress, through the secretary for foreign affairs on the 7th inst. the resolution taken to embark the army under the



command of the count de Rochambeau, and on the 29th, their having actually embarked and failed; together with his majesty's intention to direct them to return whenever an object should offer, in which they might effectually co-operate with the troops of the United States:

*Resolved*, That the secretary for foreign affairs inform the minister of France, that though Congress cannot see without regret, the departure of an army to whose bravery and good conduct they are so greatly indebted for the reduction of the enemy's force in this country, yet that they have too much confidence in the attention of his majesty to the interests of the alliance, not to be persuaded that the order for their departure was dictated by a conviction that they could elsewhere be more usefully employed against the common enemy:

That they wish him to make known to his majesty the grateful sense they entertain of his attention to their immediate interest, manifested in the important aid thus long afforded them, and in his generous determination to direct his troops to return to this country whenever circumstances will admit of an advantageous co-operation with the arms of the United States; that they desire through him, to recommend in a particular manner the count de Rochambeau and the army under his command, to the favour of his majesty, having the highest reason to be satisfied with their bravery and good conduct, and with that strict discipline to which they are indebted for the perfect harmony which has so happily subsisted between them and the soldiers and citizens of the United States.

*Resolved*, That the president make the acknowledgments of Congress in a particular manner to his excellency the count de Rochambeau, and signify to him the high sense they entertain of the distinguished talents displayed by him, with so much advantage to these states, in the most important conjunctures, as well as of the strict and exemplary discipline which have been uniformly conspicuous in the troops under his command, and which have deservedly acquired the admiration and esteem of the citizens of these states, by whom his signal services, and the delicate attention at all times paid to their private rights, will ever be held in affectionate remembrance.

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THURSDAY, January 2, 1783.

Mr. Wilson, a delegate for the state of Pennsylvania, attended, and took his seat.

The superintendant of finance, having, pursuant to the order of the 31st of last month, laid before Congress copies of the letters of the 8th of April and 21st of August last, from Dr. Franklin.

On the request of Mr. Howell,

*Ordered*, That the said copies be delivered to him.

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FRIDAY, January 3, 1783.

On the report of the secretary for foreign affairs, to whom was referred a communication from the hon. the minister plenipotentiary of France:

*Resolved*, That the secretary for foreign affairs inform the minister of France, that Congress learn with great pleasure that the steps taken by Congress and the respective states, their constituents, in opposition



to the attempts of the British court to bring about a partial negotiation, has been satisfactory to his most Christian majesty : that his majesty's conduct, in the progress of the negotiations commenced in Europe, as it has been communicated to Congress, is sufficient to inspire a just abhorrence of every act derogatory to the principles of the alliance, and serves to fortify the resolutions which his repeated acts of friendship, and a sense of their own honor and dignity, had dictated to the United States in Congress assembled, and the states they represent.

The court constituted in pursuance of the 9th article of the confederation, to hear and finally determine the dispute between the states of Pennsylvania and Connecticut, respecting certain lands, having heard and adjudged the said dispute, returned to Congress their proceedings and final sentence and decree :

*Ordered*, That in pursuance of the said articles of confederation, the proceeding and final sentence and decree of the said court, be lodged among the acts of Congress.

The commission to the judges was returned with the following endorsement :

“ The execution of this commission appears by the schedule to the same annexed.

{	WM. WHIPPLE,	(L. S.)
	WELCOME ARNOLD,	(L. S.)
	WM. C. HOUSTON,	(L. S.)
	CYRUS GRIFFIN,	(L. S.)
	DAVID BREARLY,	(L. S.)

The schedule annexed is in the words and figures following :

Proceedings of the court of commissioners, holden at Trenton, in the state of New-Jersey, the 12th of November, 1782, to determine a controversy subsisting between the state of Pennsylvania and the state of Connecticut, relative to disputed territory.

At a court of commissioners, holden at Trenton, in the state of New-Jersey, on the 12th day of November, in the year of our Lord 1782, agreeably to the 9th article of the confederation, and by virtue and in pursuance of the commission and letters patent of the United States in Congress assembled, given under their seal, and dated the 28th day of August, in the year aforesaid, constituting and empowering the persons therein named, to hear and finally determine a controversy subsisting between the states of Pennsylvania and Connecticut, relative to their respective rights and claims to certain disputed lands.

—\* \* \*—  
*Tuesday, 12th November, 1782.*

P R E S E N T,

The honorable { David Brearly, and  
William Churchill Houston, } Esqrs;

Proclamation for silence being made,

The commission from the United States in Congress assembled, directing the sitting of the court, was read in the words following, viz.

(Here follows the commission as recited in the journal of the 28th of August last.)

The commissioners present took the oath prescribed by the 9th



article of the confederation, and recited in the commission, before the hon. Isaac Smith, Esq; one of the justices of the supreme court of judicature of the state of New-Jersey, a certificate of which was endorsed on the commission.

Adjourned till to-morrow morning ten of the clock.

The certificate endorsed on the commission is as follows :

I, Isaac Smith, Esq; one of the justices of the supreme court of judicature of the state of New-Jersey, do hereby certify, that on the 12th day of November, in the year of our Lord 1782, personally appeared before me, the hon. David Brearly and William Churchill Houston, Esqs; and were severally sworn well and truly to hear and determine the matter in question between the states of Pennsylvania and Connecticut, agreeably to the tenor of the within commission, according to the best of their judgment, without favour, affection or hope of reward. Dated at Trenton, the day and year above.

ISAAC SMITH.

—\*—\*—\*—  
*Wednesday, 13th November, 1782.*

Then met pursuant to adjournment,

The honorable { David Brearly, and  
William Churchill Houston, } Esqrs;

and not being a quorum to proceed on business,

Adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Thursday, November 14, 1782.*

Then met pursuant to adjournment,

The honorable { David Brearly, and  
William Churchill Houston, } Esqrs;

Adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Friday, November 15, 1782.*

Then met pursuant to adjournment,

The honorable { David Brearly, and  
William Churchill Houston, } Esqrs;

Adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Saturday, November 16, 1782.*

Then met pursuant to adjournment,

The honorable { David Brearly, and  
William Churchill Houston, } Esqrs;

Adjourned till Monday morning next, ten of the clock.

—\*—\*—\*—  
*Monday, 18th November, 1782.*

The court met pursuant to adjournment, and opened in form.

P R E S E N T,

The honorable { William Whipple,  
Welcome Arnold,  
David Brearly,  
William Churchill Houston  
and Cyrus Griffin, } Esqrs;

The hon. Mr. Whipple, Welcome Arnold and Cyrus Griffin, Esqrs; took the oath prescribed by the 9th article of the confederation, and



recited in the commission, before the hon. David Brearly, Esq; chief justice of the state of New-Jersey, a certificate whereof was endorsed on the commission.

John Neilson, Esq; was appointed clerk.

The court adjourned till to-morrow morning ten of the clock.

The certificate endorsed on the commission is as follows :

I, David Brearly, Esq; chief justice of the state of New-Jersey, do hereby certify, that on the 18th day of November, in the year of our Lord 1782, personally appeared before me, the hon. William Whipple, Welcome Arnold and Cyrus Griffin, Esqrs; and were severally sworn well and truly to hear and determine the matter in question between the states of Pennsylvania and Connecticut, agreeably to the tenor of the within commission, according to the best of their judgment, without favour, affection or hope of reward. Dated at Trenton, the day and year above.

DAVID BREARLY.

*Tuesday, 19th November, 1782.*

The court met pursuant to adjournment.

P R E S E N T,

The honorable	{	William Whipple, president,	} Esqrs;
		Welcome Arnold,	
		William Churchill Houston,	
		Cyrus Griffin and	
		David Brearly,	

John Neilson, Esq; took the oath of office as clerk of the court.

Proclamation was made for all persons concerned to attend the court and be heard.

William Bradford, jun. Joseph Reed, James Wilson and Jonathan Dickinson Sergeant, Esqrs; appearing as agents, and Henry Osborne, Esq; as solicitor for the state of Pennsylvania, produced their credentials and powers as recited in the journals of Congress, in these words :

[Here follows the powers as recited in the journal of Congress of the 16th of July, 1782 :]

Which being read, were accepted by the court, and their appearance accordingly entered for the state of Pennsylvania.

Eliphalet Dyer, William Samuel Johnson and Jesse Root, Esqrs; appearing as agents for the state of Connecticut, produced their credentials and powers as they here follow :

\*\*\*\*\*  
 \* L. S. \*  
 \*  
 \*\*\*\*\*

Be it known, that we, the governor and company of the state of Connecticut, in America, have authorized, constituted and appointed, and by these presents do constitute, authorize and appoint the hon. Eliphalet Dyer, William Samuel Johnson and Jesse Root, Esqrs; our agents, procurators and attornies, in our name and behalf to appear, and us to represent, before the honorable court of commissioners, constituted, appointed and commissioned by the Congress of the United States, pursuant to the 9th article of confederation, to be holden at Trenton, in New-Jersey, on the 12th day of November inst. and at all other times and places where said court may be holden, to hear, judge and determine the controversy subsisting between the state of Pennsylvania and the state of Connecticut, respecting the title, jurisdiction, possession and



claim, to a certain territory of country, contained within the bounds and limits of the royal charter and patent of his majesty king Charles the 2d, to the governor and company of the late English colony of Connecticut, claimed by the state of Pennsylvania. And we do by these presents give and grant to our said agents and attornies, the said Eliphalet Dyer, William Samuel Johnson and Jesse Root, Esqrs; or either two of them, full and ample powers of attorney and procuration, for us and in our name and stead to pursue, implead, answer and defend, in all and singular the the questions, matters and things that shall be moved or any way come before said court, relative to the controversy aforesaid; and to solicit, move, act and transact, in all things whatsoever which shall be found requisite and fitting, on the part of us the said governor and company of the state of Connecticut, as fully and in as ample a manner as we ourselves might or could do, until final judgment shall be had and rendered in the premises. And we do hereby engage to hold good and valid in the law, what our said attornies shall do in the premises in pursuance of the powers herein given to them, and the instructions they may, from time to time, receive from us, and to ratify and confirm the same, with power to employ council learned in the law as they shall judge needful. In testimony whereof, the governor has signed these our letters of attorney and procuration, and caused the seal of our state to be affixed to them.

Done at Lebanon, in our said state, this first day of November, in the year of our Lord 1782, and in the 7th year of the independence of the United States of America.

JONATHAN TRUMBULL.

By his excellency's command:

GEORGE WYLLIS, *Secretary*.

Which being read, were accepted by the court, and their appearance accordingly entered for the state of Connecticut.

A motion was made by the agents for the state of Connecticut, that the petition preferred by the executive council of the state of Pennsylvania to the United States in Congress assembled, praying that a court might be appointed for deciding the controversy subsisting between the said state and the state of Connecticut, or an authentic copy thereof, should be produced and read:

Which after argument was over-ruled by the court.

A motion in writing was then offered by the agents of the state of Connecticut, in the words following:

*Trenton, November, A. D. 1782.*

State of New-Jersey, ss.

At a court of commissioners for the trial of the cause between the states of Connecticut and Pennsylvania, relative to the jurisdiction and property in certain lands lying west of Delaware river, within the charter boundaries of said states.

The agents for the state of Connecticut, saving to themselves all advantages of other and further defence in said cause, beg leave to suggest, inform and give the court to understand, that there are many persons, who are tenants, in possession of the lands in controversy, holding, improving and claiming large quantities of said land, under



titles from the states of Pennsylvania and Connecticut respectively, particularly the two large companies of Delaware and Susquehannah, consisting of more than 2000 persons, many of whose people are in, possessing, improving and holding large tracts of said lands in controversy, under title from the state of Connecticut, whose titles under said states respectively, will be materially affected by the decision in this case, yet have not been cited or any way legally notified to be present at said trial to defend their titles respectively, which, by the rules of proceeding in a course of justice, ought to be done before any further proceedings are had in said case; and thereupon said agents move this honorable court to cause said companies of Delaware and Susquehannah and other tenants in possession, holding under title from either of said states, to be duly cited in some proper and reasonable manner to appear and defend at said trial, if they see cause, before any farther proceedings are had in said cause; and of this they pray the opinion of this honorable court.

E. DYER,  
WM. S. JOHNSON, } agents for  
J. ROOT, } Connecticut.

After argument, the court adjourned till to-morrow ten of the clock.

—\*—\*—\*—  
*Wednesday, 20th November, 1782.*

The court met: present as yesterday.

The court gave their opinion on the motion of yesterday, made in writing by the agents of Connecticut:

That the same cannot be admitted according to the construction of the 9th article of the confederation, and the tenor and design of the commission under which they act.

A motion was made by the agents for the state of Pennsylvania, in the words following:

—\*—\*—\*—  
*November 20th, 1782.*

The agents of Pennsylvania, apprehending that the agents of Connecticut design to move the court to postpone or put off the determination of the cause now depending before them, do give notice to the said agents for Connecticut, in the presence of the court, that they, the said agents of Pennsylvania, will oppose any motions of that nature being made after the evidence on the part of Pennsylvania has been opened, or the merits of the cause entered upon; and if the said agents for Connecticut propose to make any such motion, the agents for Pennsylvania do express their willingness that time be given them for that purpose.

WM. BRADFORD, jun.  
JOS. REED,  
JAMES WILSON,  
JON. D. SERGEANT.

The court adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Thursday, 21st November, 1782.*

The court met: present as before.

A motion was made by the agents for the state of Connecticut, in these words:



*Trenton, New-Jersey, November, 1782.*

*Court of commissioners, case Pennsylvania, v. Connecticut.*

And now the agents of the state of Connecticut, unwilling to give any unnecessary delay, but considering the magnitude of this cause, its length and intricacy, and the high importance, that it should be thoroughly investigated, and not only justly determined, but in a manner satisfactorily to the parties concerned; and the state of Pennsylvania not having yet filed any declaration or state of their claim in this court, whereby the agents for Connecticut can know what the demands of Pennsylvania are, or what they have to answer to, and knowing that there are many exhibits and proofs, which will be essentially necessary in the course of said cause, which we have not nor hath it been in our power to procure, viz. a certain original deed from the Indians, of a large parcel of the lands in dispute, obtained from their chiefs and sachems at their council fire in Onondaga, in A. D. 1763, which is now in England, left there before the commencement of the present unhappy war, and which we have never since been able to obtain; and other necessary evidence and proofs, which on examination we find we are not at present possessed of, which may be wanted in the course of said trial, and not yet knowing what concessions may be made on the part of Pennsylvania, do consent to proceed in the trial of said cause; at the same time reserving to ourselves the right of moving in any stage of said trial, to have the same postponed, as the nature and exigencies of the case may require, and that the agents for Pennsylvania have on their part the same advantages, and that this motion be made parcel of the files of this honorable court.

E. DYER,	} agents for Connecticut.
W. S. JOHNSON,	
J. ROOT,	

Whereupon the agents for the state of Pennsylvania moved as follows:

The agents of Pennsylvania, in answer to the written motion preferred by the agents of Connecticut, do say, that they are now ready, and have been for some time, to exhibit their claim on the part of Pennsylvania, but have been delayed by the expectation founded on the promise made in the presence of the court by the agents of Connecticut, to file their claim at the same time. Yet they say in answer to that part of the said motion, which claims the right of moving in any stage of the trial to have the same postponed, that the court ought not to hear and admit any motion to postpone the trial after the same has begun and proceeded to a hearing of the merits of the cause; and of this they pray the opinion of the court.

WM. BRADFORD, jun.  
JOS. REED,  
JAMES WILSON,  
JONA. D. SERGEANT.

November 21, 1782.

After argument the court adjourned till to-morrow ten of the clock.

—\*—\*—\*—  
*Friday, 22d November, 1782.*

The court met: present as before.



The court ordered the motions now before them in writing to be filed.

The agents for Pennsylvania laid before the court the following state and representation :

To the honorable the commissioners and judges appointed to hear and finally determine the controversy subsisting between the state of Pennsylvania and the state of Connecticut. The agents of the state of Pennsylvania beg leave humbly to state and represent in behalf of the said state.

1st. That king Charles the 2d, then king of Great-Britain, on the 4th day of March, in the year of our Lord 1681, by his letters patent, dated on the same day and year aforesaid, did grant to William Penn, the first proprietary and governor of Pennsylvania, his heirs and assigns, " all that tract or part of land in America, with the islands therein contained, as the same is bounded on the east by Delaware river, from 12 miles distance northwards of New-Castle town, unto the three and fortieth degree of northern latitude, if the said river doth extend so far northward ; but if the said river shall not extend so far northward, then by the said river so far as it doth extend, and from the head of the said river, the eastern bounds are to be determined by a meridian line to be drawn from the head of the said river unto the said 43d degree ; the said land to extend westward five degrees in longitude, to be computed from the said eastern bounds ; and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the south by a circle drawn at 12 miles distance from New-Castle northward and westward unto the beginning of the 40th degree of northern latitude, and then by a straight line westwards to the limits of longitude above-mentioned." By which letters patent the jurisdiction and right of government within the limits aforesaid, and also the right of soil were conveyed, and under which Pennsylvania hath been held, settled and possessed.

2d. That the said William Penn and the succeeding proprietaries of Pennsylvania, at different periods, purchased from the native Indians their right of soil within different districts of the limits aforesaid, and received deeds from them for the same, and particularly on the 25th day of October, in the year of our Lord 1736, the said Indians conveyed to Thomas Penn and Richard Penn, the then proprietaries of Pennsylvania, the full and absolute right of pre-emption, of and in all the lands not before sold by them to the said proprietaries within the limits aforesaid.

3d. That the southern bounds of Pennsylvania, so far as the same adjoins on Maryland, have been long since settled ; and the same, so far as the state adjoins upon Virginia, have also been settled of late by a line, called Mason and Dixon's line, continued to the end of five degrees of longitude from the river Delaware ; that the northern bounds have always been deemed to extend to the end of the 42d degree where the figures 42 are marked on the map, the river Delaware being found to extend so far north and farther ; that the said river pursuing the east or main branch thereof, above the forks at Easton, hath ever been deemed to be one boundary of Pennsylvania, from 12 miles above



New-Castle, on the said river, to the said end of the 42d degree, and that a straight line from thence to the place where the same shall intersect another straight line, drawn from the end of the said southern line of boundary of Pennsylvania, commonly called Mason and Dixon's line, continued to the extent of five degrees of longitude from the river Delaware, is another boundary of the said state of Pennsylvania.

4th. That the late province of Pennsylvania, on the 4th day of July, in the year of our Lord 1776, did join with the other twelve, late provinces, now states, in the declaration of independence, and soon after established a constitution and government founded on the authority of the people, which they continue still to exercise and enjoy ; and they did also join in the articles of confederation of the United States ; and that being so independent and sovereign, on the 27th day of November, in the year of our Lord 1779, they did by an act of their legislature, consisting of the representatives of the freemen of the said commonwealth of Pennsylvania in general assembly met, duly made and passed according to the directions of their frame of government, vest the right of soil and estate of the late proprietaries of Pennsylvania in the said commonwealth ; and that by means thereof, and of the several matters and things herein before set forth, the said commonwealth, or state of Pennsylvania, is entitled to the right of jurisdiction, and right of soil within all the limits aforesaid.

5th. That, nevertheless, sundry persons pretending to claim under the late colony, now state of Connecticut, before the revolution, have violently settled themselves within the limits aforesaid, and the colony of Connecticut by an act of their legislature, made and passed a short time before the revolution, have encouraged the said violent settlement and intrusion, and asserted their claim as a colony to a large part of the lands within the limits aforesaid, as well in point of jurisdiction as territory ; and that since the revolution, the said intrusions are continued and daily increased by the said persons pretending to claim under the state of Connecticut, and the claim of the said state is by the said state still continued and persisted in, and the jurisdiction of the said state actually asserted and exercised, within a part of the state of Pennsylvania, in defiance of all law and justice.

Wherefore the said agents do humbly pray, that this honorable court taking into consideration the premises, as well as all other matters and proofs that may be alleged and shewn on the part of Pennsylvania and of Connecticut before you, you will proceed agreeably to the tenor of the 9th article of the confederation, to determine and decide in the premises according as to right and justice shall be found to appertain.

WILLIAM BRADFORD, jun.

JOS. REED,

JAMES WILSON,

JONA. D. SERGEANT.

November 20, 1782.

The agents for Connecticut also exhibited to the court a state of the case on the part of Connecticut, as follows :

The state of the case on the part of Connecticut, exhibited to the honorable court of commissioners at Trenton, November, A. D. 1782.

[A. D. 1497.] Sebastian Cabot, a subject of England, was employ-



ed by Henry the 7th, king of England, to discover a north west passage to China, and in that service, in or about the year 1497, he discovered all the north east coast of America, from cape Florida, in 25 degrees north latitude, to  $67\frac{1}{2}$  degrees, by which the crown of England became entitled thereto, so far as the right of first discovery could entitle. King James the first, in the 18th year of his reign, [A. D. 1620,] by letters patent, under the great seal of England, gave the name of New-England, in America, to all that circuit, continent and limits in America, in breadth, from 40 degrees of northerly latitude from the equinoctial line, to 48 degrees of said northerly latitude, and in length, by all the breadth throughout the main land from sea to sea, with all the rivers, seas, &c. within the same degrees of latitude and longitude; and incorporated the duke of Lenox, and divers other persons, by the name of the council established at Plymouth, in the county of Devon, for the planting, ruling, ordering and governing of New-England, in America; and to them and their successors, grants all the lands, &c. viz. that aforesaid part of America, lying and being in breadth from 40 degrees of northerly latitude, from the equinoctial line, to 48 degrees of the said northerly latitude, inclusively, and in length, of and within all the breadth aforesaid throughout the main lands, from sea to sea, together also with all the firm lands, soils, grounds, &c. and all and singular other commodities, jurisdictions, royalties, privileges, franchises and pre-eminences, both within the said tract, upon the land upon the main, and also within the said islands and seas adjoining: Provided always, that the said islands or any of the premises herein before-mentioned, and by these presents intended and meant to be granted, were not actually possessed or inhabited by other Christian prince or state, nor within the bounds, limits or territories of that southern colony heretofore by us granted, to be planted by divers of our loving subjects in the south part. And did further command and authorize the said council and their successors, or the major part of them, to distribute, convey, assign, and set over such particular portions of said lands, tenements and hereditaments, to such subjects, adventurers and planters, as they should think proper, respect being had as well to the proportion of the adventurers as to the special hazard, exploit or merit of any person to be recompensed, advanced or rewarded.

[March 19, 1628.] The said council of Plymouth granted to sir Henry Roswell, &c. their heirs and assigns, and their associates forever, all that part of New-England, in America aforesaid, which lies and extends between a great river, there commonly called Monomack, alias Merrimack, and a certain other river there, called Charles river, being in the bottom of a bay, called Massachusetts, alias Mattachusetts, alias Mattatusetts-Bay, and all and singular those lands and hereditaments whatsoever, lying within the space of three English miles, on the south part of the said Charles river, or of any or every part thereof, and also all and singular the lands and hereditaments whatsoever, lying and being within the space of three English miles, to the southward of the southernmost part of the said bay, called Massachusetts, alias Mattachusetts, alias Mattatusetts-Bay, and also all those lands and hereditaments whatsoever, which lie and be within the space of three English miles, to the northward of the said river,



called Monomack, alias Merrimack, or to the northward of any and every part thereof, and all lands and hereditaments whatsoever, lying within the limits aforesaid, north and south, in latitude and in breadth, and in length and longitude of and within all the breadth aforesaid, throughout the main lands there, from the Atlantic and Western-sea and ocean, on the east part to the South-sea, on the west part, and all the lands and grounds, &c. King Charles the 1st, by his letters patent, under the great seal of England, did grant and confirm unto the said sir Henry Roswell, &c. [March 4, 1629,] their heirs and assigns, and their associates, all the said part of New-England, in America, lying and extending between the bounds and limits in the said indenture expressed, &c. Provided always, that if the said lands, islands, or any the premises before-mentioned, and by the said letters patent, last mentioned, intended and ment to be granted, were, at the time of the granting of the said former letters patent, dated the 3d day of November, in the 18th year of the reign of his late majesty, king James the 1st, actually possessed or inhabited by any other Christian prince or state, or were within the bounds, limits or territories of the said southern colony then before granted by the said king, to be planted by divers of his loving subjects in the south parts of America, that then the said grants should not extend to any such parts or parcels thereof, so formerly inhabited or lying within the bounds of the southern plantation as aforesaid. But as to those parts or parcels so possessed or inhabited by any such Christian prince or state, or being within the boundaries aforesaid, should be utterly void.

[March 19, 1631.] Robert Earl of Warwick, president of the council of Plymouth, by his deed, bearing date the 19th day of March, Anno Dom. 1631, did give, grant, bargain, sell and confirm unto the right hon. William viscount Say and Seal, &c. their heirs and assigns, and their associates forever, all that part of New-England, in America, which lies and extends itself from a river there called Narragansett river, the space of 40 leagues upon a straight line, near the seashore, towards the south-west, west and by south, or west, as the coast lieth towards Virginia, accounting three English miles to the league; and also all and singular the lands and hereditaments whatsoever, lying and being within the lands aforesaid, north and south in latitude and breadth, and in length and longitude, of and within all the breadth aforesaid, throughout the main lands there, from the western ocean to the South-sea, and all lands and grounds, havens, rivers, waters, fishings and hereditaments whatsoever, lying within the said space, and every part and parcel thereof, and also all the islands lying in America aforesaid, in the said seas or either of them, on the western or eastern coasts, or parts of the said tracts of land by these presents mentioned to be given and granted; to have and to hold, unto the said William viscount Say and Seal, &c. their heirs and assigns, and their associates, to their only proper use and behoof for evermore.

The Connecticut people established government, and soon after proceeded to settle on the land aforesaid, upon the right and as associates of the lords Say and Seal, &c. under the patents aforesaid, which lands they were afterwards vested with, having obtained the native



right by purchase and conquest, and having settled many towns in the eastern part of said patent, and as far west as the Dutch possessions near Hudson's river, they as early as A. D. 1650, extended their claims and possessions on the west side of Delaware river, and made purchases of large tracts of lands of the Indians there.

In 1635, the said Plymouth company surrendered their patent to the crown.

[April 23d, 1662.] King Charles the 2d, by his letters patent under the great seal of England, bearing date the 23d day of April, Anno Dom. 1662, ordained, constituted, and declared John Winthrop, John Mason, Samuel Willis, and 16 others by name, and all such others as then were or thereafter should be admitted and made free, of the company and society of the colony of Connecticut, in America, should, from time to time, and for ever thereafter, be one body corporate and politic, in fact and in name, by the name of the governor and company of the English colony of Connecticut, in New-England, in America, with certain powers, privileges and authorities; and therein granted to them and their successors, all that part of his dominions in New-England, in America, bounden on the east by Narragansett river, commonly called Narragansett-bay, where the said river falleth into the sea, and on the north by the line of the Massachusetts plantation, and on the south by the sea, and in longitude, as the line of the Massachusetts colony, running from east to west, that is to say, from the said Narragansett-bay on the east, to the South-sea on the west, with the islands thereunto adjoining, together with all the firm lands, &c. to have and to hold the same unto the said governor and company, their successors and assigns forever, upon trust, and to and for the use and benefit of themselves and their associates, freemen of the said colony, their heirs and assigns, to be holden of the king, his heirs and successors, as of his manor of East-Greenwich, in free and common soccage, and not in capite or by knights service.

Whereby the said governor and company became vested with right of jurisdiction over, and seized of the crown title, and of the exclusive right of pre-emption to all the lands within the boundaries in said patent mentioned and described, excepting only such part of the same as was then actually in the possession of the Dutch: and in fact the lands in controversy, between the states of Pennsylvania and Connecticut, in this case, are contained within the said limits of said patent, viz. within a line drawn from the east side of a creek or river, called Mocomaroneck, where the fresh water falls into the salt, at high-water mark, west parallel to the south line of the patents to the Massachusetts aforesaid.

[March 12, 1664.] King Charles the 2d, by his letters patent, under the great seal of England, bearing date the 12 day of March, Anno Dom. 1664, gave and granted unto his royal brother James, duke of York, all that part of the main land in New-England, beginning at a certain place, called and known by the name of Saint-Croix, next adjoining to New-Scotland, in America, and from thence extending along the sea-coast, unto a place called Pennequie or Pennequid, and so up the river thereof to the southernmost head of the same, as it tendeth northward, and extending from thence to the river Ke-



nebequie, and upwards, by the shortest course, to the river called Canada, northward; and also all that island or islands, commonly called by the several name or names of Mattawacks, or Long-Island, situate, lying and being towards the west of Cape-Cod and the Narragansetts, abutting upon the main land between the two rivers there, called and known by the names of Connecticut and Hudson's river; together also with the said river called Hudson's river, and all the land from the west side of Connecticut river to the east side of Delaware bay; and all the several islands, called or known by the names of Martin's Vineyard and Nantucks, otherwise Nantucket, together with all the lands, soils, islands, &c.

The Dutch and Swedes were at that time possessed of the lands belonging to the late colonies of New-York and New-Jersey, and had made considerable plantations and improvements there; which settlements aforesaid of the Dutch, &c. they contended were begun as early as in the year 1614, prior to the patent of the council of Plymouth.

King Charles the 2d, in April, 1664, made a conquest of the Dutch at New-York; and a settlement of the line between the duke of York's government, eastward, and the colony of Connecticut, became necessary.

[April 26, 1664.] His majesty having constituted and appointed colonel Richard Nichols, sir Robert Carr, knight, &c. his commissioners to visit the New-England colonies, with full power and authority to hear, receive, examine and determine all complaints and appeals, and proceed in all things for providing for and settling the peace of said country; they did accordingly settle and determine as follows, viz.

[November 30, 1664.] By virtue of his majesty's commission, we have heard the difference about the bounds of the patent granted to his royal highness the duke of York, and to his majesty's colony of Connecticut; and having deliberately considered the reasons alleged by Mr. Allen, senior, Mr. Gold, Mr. Richards and captain Winthrop, appointed by the assembly held at Hartford, the 13th of October, 1664, to accompany John Winthrop, Esq; the governor of his majesty's colony of Connecticut, to New-York, and by Mr. Howell and captain Young, why the said Long-Island should be under the government of Connecticut, which are too long here to be recited. We do declare, and order the southern bounds of his majesty's colony, is the sea; and that Long-Island is to be under the government of his royal highness the duke of York, as is expressed by plain words in said charters respectively. And also by virtue of his majesty's commission, and by the consent of both the governors and the gentlemen above named; we do also order and declare, that the creek or river which is called Monomock, which is reputed to be about 12 miles to the east of West-Chester, and a line to be drawn from the east point or side where the fresh water falls into the salt, at high-water mark, north north-west, to the line of the Massachusetts, be the western bounds of the said colony of Connecticut: and all plantations lying westward of that creek and line so drawn, shall be under his royal highness's government; and all the plantations lying eastward of that creek and line, to be under the government of Connecticut.

To this the commissioners therein mentioned from Connecticut, subscribed in the words following, viz. "We underwritten, on behalf



of the colony of Connecticut, have assented unto the determination of his majesty's commissioners, in relation to the bounds and limits of his royal highness the duke's patent, and the patent of Connecticut."

In June, 1673, New-York and its territories were recovered by the Dutch, and their government revived again. In 1674, on a treaty of peace between the English and Dutch, signed at Westminster, the English government was restored. June 29, A. D. 1674, the duke of York obtained a renewal of his patent. The duke's governor being uneasy at the former settlement of the line, claimed a re-settlement of the same; and after various negotiations and agreements, between November 23d, 1683, and 1733, the line between the duke's government, and the government of the colony of Connecticut, was finally settled, beginning at Biram river, at the sea, a few miles east of the former settlement of said line, and to extend northward to the line of the Massachusetts, as in said settlement is expressed.

King Charles the 2d, by his letters patent, bearing date the 31st year of his reign, gave and granted unto William Penn, his heirs and assigns, all that tract or parcel of land in America, with all the islands therein contained, as the same is bounded on the east of Delaware river, from 12 miles northward of New-Castle town, unto the three and fortieth degree of northern latitude, if the said river doth extend so far northward, but if the said river doth not extend so far northward, then by the said river so far as it doth extend; and from the head of the said river the eastern bounds are to be determined by a meridian line, to be drawn from the head of the said river unto the said three and fortieth degree. The said lands to extend westward five degrees in longitude, to be computed from the said eastern bounds; and the said lands to be bounded on the north by the beginning of the three and fortieth degree of northern latitude, and on the south by a circle drawn at 12 miles distance from New-Castle, northwards and westwards unto the beginning of the fortieth degree of northern latitude, and then by a straight line westward to the limits of longitude above-mentioned: to have, hold, possess and enjoy, unto the said William Penn, his heirs and assigns, &c. The northern part of the bounds and limits of which grant, interferes with and spreads over some parts of the western lands before granted to the colony of Connecticut, and confirmed by the renewed charter or patent aforesaid, from king Charles the 2d, for about the space of one degree of latitude through the whole breadth of the said grant, being nearly the 42d degree of north latitude, which occasions the present controversey; of which interference the said William Penn had notice at the time of taking out his patent aforesaid.

The colony of Connecticut, in A. D. 1753, having located and settled all their lands within their patent east of New-York, and being in a condition to extend their settlements on the other part of their patent aforesaid, to the westward of Delaware river, which lay in a wilderness state, and possessed only by the Indians; certain companies of adventurers, chiefly from said colony, agreed together to purchase the native right to said lands of the Indians, and to extend the settlements of the colony of Connecticut on the western parts of said patent, and accordingly did, under countenance of the authority of



said colony, at different times, make fundry purchases of large tracts of lands of the Indians, native proprietors of said lands, on the Susquehannah and Delaware river, within the limits and bounds of the patent to the governor and company aforesaid; and in A. D. 1754, said companies of adventurers proceeded and made settlements on said lands so purchased as aforesaid, and ever since have, though with various interruptions, continued to hold and possess the same under the title of the colony of Connecticut. And the legislature of the colony of Connecticut have approved of the purchases and settlements of the adventurers aforesaid, and have actually erected and exercise jurisdiction in and over said territory, as part and parcel of said colony.

All which rights, powers, privileges and jurisdictions aforesaid, of the colony of Connecticut, on the late happy revolution, remained as before, vested in the state of Connecticut.

And thereupon the agents for the state of Connecticut pray the judgment of this honorable court in their favour, that they may be quieted in the jurisdiction and property in and over the lands in dispute aforesaid.

ELIPHALET DYER, } agents for  
WM. S. JOHNSON, } Connecticut.  
J. ROOT,

The agents for the state of Pennsylvania having further prayed the opinion of the court, on the written motions this morning ordered to be filed, the same was given as follows:

The court cannot determine what motions may or may not be proper to be made hereafter; at the same time they think it proper to inform the agents on both sides, that they mean to govern themselves by the principles of law, so far as they ought to apply in the present case.

The court adjourned till to-morrow ten of the clock.

—\*—  
*Saturday, 23d November, 1782.*

The court met: present as before.

A motion was made by the agents for the state of Connecticut, in the words following:

*Trenton, November 23, 1782.*

Pennsylvania v. Connecticut.

The agents for the state of Connecticut, sensible that in the course of this trial they will have occasion to make use of many depositions, taken before a justice of the peace according to the laws of the state in which they were taken, respecting the purchase of the Indian sachems, native proprietors of said lands, their deeds and the execution of them, the settlements that have been made on said lands, and fundry other matters which will be necessary in said trial, beg leave now to move for the opinion of the court, whether such depositions, taken as aforesaid, will be admitted as evidence in the case.

DYER, } agents.  
JOHNSON, }  
ROOT,

Which being followed by a motion from the agents for the state of Pennsylvania, in these words:



November 23, 1782.

The agents for Pennsylvania, in reply to the written motion just filed by the agents of Connecticut, praying the opinion of the court respecting the admissibility of testimony, before the court proceeds upon a hearing of the cause, and before the testimony be regularly offered, humbly beg leave to object to the same motion, as irregular and unprecedented, and such as the court ought not to decide upon, and of this they pray the opinion of the court.

WM. BRADFORD, jun.  
JAMES WILSON,  
JONA. D. SERGEANT.

The court determined, that they can give no opinion upon the admission of testimony until regularly offered.

The agents for the state of Pennsylvania, gave the following notice in writing, viz.

*Pennsylvania v. Connecticut.*

The agents for Pennsylvania, anxious for the speedy determination of this cause, and desirous that the agents for Connecticut may have no reason to complain of hardship or surprize, do hereby, in the presence of the court, give notice to the said agents for Connecticut, that they shall conceive it their duty to oppose the admission of any ex parte depositions, as evidence in this cause; and that they shall object to any application, for a commission to take the examination of witnesses, and to any motion for delaying this cause on the account of the absence of witnesses, unless such motion or application be forthwith made, so as to avoid unnecessary delay.

WM. BRADFORD, jun.  
JAMES WILSON,  
JONA. D. SERGEANT.

23d November, 1782.

The court adjourned until Monday morning next, ten of the clock.

Monday, 25th November, 1782.

The court met pursuant to adjournment: present as before.

The agents for the state of Connecticut made the following answer to the notice given by the agents for the state of Pennsylvania, on Saturday last, viz.

*Pennsylvania v. Connecticut.*

Now the agents for Connecticut, in answer to the notice given them by the agents for Pennsylvania on the 23d inst. say, that they being desirous of a just as well as a speedy decision of this cause, and that they, relying on the wisdom, equity and justice of this honorable court, that all questions and motions which shall come before them, will be righteously determined, are ready to proceed. And that the agents for Pennsylvania may not suffer any disadvantage by first disclosing their exhibits and evidence, the agents of Connecticut are willing, and now offer to go forward in their exhibits and proofs.

ELIPH. DYER,  
JESSE ROOT,  
WM. SAM. JOHNSON, } agents for  
Connecticut.

November 25, 1782.



*Ordered*, That the agents for the state of Pennsylvania proceed with their proofs and exhibits.

Whereupon Mr. Bradford opened the cause, and proceeded accordingly.

The court adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Tuesday, 26th November, 1782.*

The court met: present as before.

The proofs and exhibits continued on the part of Pennsylvania.

The court adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Wednesday, 27th November, 1782.*

The court met: present as before.

Farther proofs and exhibits on the part of Pennsylvania.

The court adjourned till Friday morning next, ten of the clock.

—\*—\*—\*—  
*Friday, 29th November, 1782.*

The court met: present as before.

The agents for the state of Connecticut proceeded to the proofs and exhibits on the part of the said state.

The court adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Saturday, 30th November, 1782.*

The court met: present as before.

The proofs and exhibits continued on the part of Connecticut.

The court adjourned till Monday morning next, ten of the clock.

—\*—\*—\*—  
*Monday, 2d December, 1782.*

The court met: present as before.

On motion of the agents for the state of Pennsylvania,

*Ordered*, That a commission do issue to take the deposition of the right hon. William, earl of Sterling, the agents of Connecticut having notice thereof.

Farther proofs and exhibits on the part of Connecticut.

The court adjourned till to-morrow morning ten of the clock.

—\*—\*—\*—  
*Tuesday, 3d December, 1782.*

The court met: present as before.

The agents of Pennsylvania, in order to remove the doubts which were suggested by the agents of Connecticut, and entertained by some of the members of the court, as to their former powers, produced a new commission of agency, which is in the words following:

Pennsylvania, ss.

In the name and by the authority of the freemen of the commonwealth of Pennsylvania:

The president and supreme executive council of the said commonwealth:

To William Bradford, jun. Esq; attorney-general of the said commonwealth, Joseph Reed, James Wilson, Jonathan Dickinson Sergeant, and Henry Osborne, Esqrs;



\*\*\*\*\*  
 \* L. S. \*  
 \* \* \*  
 \*\*\*\*\*

WE repofing efpecial truſt and confidence in your prudence, integrity and abilities, do by theſe preſents conſtitute and appoint you, the ſaid William Bradford, jun. Joſeph Reed, JOHN DICKINSON. James Wilſon and Jonathan Dickinson Sergeant, our counſellors and agents, and you the ſaid Henry Osborne, our ſolicitor and agent, in the cauſe now depending before the honorable the commiſſioners and judges, appointed by virtue of the 9th article of the confederation of the United States of America, to hear and finally determine the controverſy ſubſiſting between the commonwealth of Pennſylvania, and the ſtate of Connecticut: hereby ratifying and confirming all, and whatſoever you our ſaid counſellors and agents, or any two of you, ſhall lawfully do or cauſe to be done, or heretofore have lawfully done or cauſed to be done, touching the ſaid cauſe between the ſaid ſtates of Pennſylvania and Connecticut.

Given in council, under the hand of the preſident and the ſeal of the ſtate, at Philadelphia, this 30th day of November, in the year of our Lord 1782.

Atteſt:

T. MATLACK, *Secretary*.

The agents for the ſtate of Connecticut continued their proofs and exhibits.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Wednesday, 4th December, 1782.*

The court met: preſent as before.

The proofs and exhibits, on the part of Connecticut, continued.

The agents for the ſtate of Connecticut, having offered in evidence the proofs or attestation annexed to a certain deed, ſigned by Kahick Toton and other Indians, dated 11th July, 1754; which deed had yeſterday been admitted to be read; the agents for the ſtate of Pennſylvania objected to the reading of the ſaid proofs and attestation, alleging that they contained fundry circumſtances relating to the manner of obtaining the ſaid deed, which were improper to be given in evidence; whereupon, after argument, the court ruled that the ſame be read.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Thursday, 5th December, 1782.*

The court met: preſent as before.

The proofs and exhibits, on the part of Connecticut, continued:

On motion of the agents for the ſtate of Pennſylvania, James Van Acken, Eſq; of that ſtate, was ſworn to give evidence in the cauſe.

The court adjourned until to-morrow morning ten of the clock.

—\*—  
*Friday, 6th December, 1782.*

The court met: preſent as before.

The proofs and exhibits, on the part of Pennſylvania, reſumed.

The court adjourned till to-morrow morning ten of the clock.



*Saturday, 7th December, 1782.*

The court met : present as before.

Proofs and exhibits, on the part of Pennsylvania, continued.

The court adjourned until Monday morning next, ten of the clock.

*Monday, 9th December, 1782.*

The court met : present as before.

Proofs and exhibits, on the part of Pennsylvania, concluded.

Proofs and exhibits, on the part of Connecticut, resumed and concluded.

The court adjourned till to-morrow morning ten of the clock.

*Tuesday, 10th December, 1782.*

The court met : present as before.

The proofs and exhibits, on the part of Pennsylvania, and on the part of Connecticut, being finished,

*Ordered*, That the agents proceed in the arguments alternately, and that one conclude on the part of the state of Pennsylvania.

Mr. Root, one of the agents for the state of Connecticut, proceeded to argue the cause.

The court adjourned till to-morrow morning ten of the clock.

*Wednesday, 11th December, 1782.*

The court met : present as before.

Mr. Sergeant proceeded with the argument on the part of the state of Pennsylvania.

The hon. Samuel Wharton and Richard Peters, Esqrs; were produced as witnesses by the agents for the state of Pennsylvania, and their evidence taken.

The court adjourned till to-morrow morning ten of the clock.

*Thursday, 12th December, 1782.*

The court met : present as before.

Mr. Sergeant continued the argument on the part of the state of Pennsylvania.

His excellency governor Livingston was produced as a witness by the agents for the state of Pennsylvania, and evidence taken.

The court adjourned till to-morrow morning ten of the clock.

*Friday, 13th December, 1782.*

The court met : present as before.

Mr. Dyer proceeded with the argument on the part of the state of Connecticut.

The court adjourned till to-morrow morning ten of the clock.

*Saturday, 14th December, 1782.*

The court met : present as before.

Mr. Dyer continued the argument on the part of the state Connecticut.

Mr. Wilson proceeded with the argument on the part of the state of Pennsylvania.



The court adjourned until Monday morning next, ten of the clock.

—\*—  
*Monday, 16th December, 1782.*

The court met: present as before.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Tuesday, 17th December, 1782.*

The court met: present as before.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Wednesday, 18th December, 1782.*

The court met: present as before.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Thursday, 19th December, 1782.*

The court met: present as before.

Mr. Wilson continued the argument on the part of the state of Pennsylvania.

The court adjourned to six o'clock this afternoon.

—\*—  
*Six o'clock P. M.*

The court met: present as before.

Mr. Wilson continued the argument on the part of the state of Pennsylvania.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Friday, 20th December, 1782.*

Mr. Wilson continued the argument on the part of the state of Pennsylvania.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Saturday, 21st December, 1782.*

The court met: present as before.

Mr. Johnson proceeded with the argument on the part of the state of Connecticut.

The court adjourned until Monday morning next, ten of the clock.

—\*—  
*Monday, 23d December, 1782.*

The court met: present as before.

Mr. Johnson continued the argument on the part of the state of Connecticut.

The court adjourned to six o'clock this afternoon.

—\*—  
*Six o'clock P. M.*

The court met: present as before.

Mr. Johnson concluded the argument on the part of the state of Connecticut.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Tuesday 24th December, 1782.*

The court met: present as before.



Mr. Reed proceeded with the argument on the part of the state of Pennsylvania.

The court adjourned to six o'clock this afternoon.

—\*—  
*Six o'clock P. M.*

The court met : present as before.

Mr. Reed concluded the argument on the part of Pennsylvania.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Wednesday, 25th December, 1782.*

The court met : present as before.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Thursday, 26th December, 1782.*

The court met : present as before.

The commission for taking the deposition of the right hon. William, earl of Sterling, being returned with the deposition annexed :

*Ordered,* That the same be filed.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Friday, 27th December, 1782.*

The court met : present as before.

The court adjourned till to-morrow morning ten of the clock.

—\*—  
*Saturday, 28th December, 1782.*

The court met : present as before.

The court adjourned till Monday morning next, ten of the clock.

—\*—  
*Monday, 30th December, 1782.*

The court met : present as before.

The agents attending, the court pronounced the following sentence or judgment :

This cause has been well argued by the learned council on both sides. The court are now to pronounce their sentence or judgment :

We are unanimously of opinion, that the state of Connecticut has no right to the lands in controversy.

We are also unanimously of opinion, that the jurisdiction and pre-emption of all the territory lying within the charter boundary of Pennsylvania, and now claimed by the state of Connecticut, do of right belong to the state of Pennsylvania.

WM. WHIPPLE,  
WELCOME ARNOLD,  
WM. C. HOUSTON,  
CYRUS GRIFFIN,  
DAVD. BREARLY.

Trenton, December 30, 1782.

The court adjourned without day.

Attest :

WM. WHIPPLE, *President.*  
JOHN NEILSON, *Clerk.*



TUESDAY, January 7, 1783.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr. Madison and Mr. Hamilton, to whom was referred a report from the secretary at war :

*Resolved*, That colonels John Greateon and Rufus Putnam, of the Massachusetts line, and colonel Elias Dayton, of the Jersey line, be promoted to the rank of brigadier-generals, agreeably to the resolution of the 12th day of December, 1782.

A grand committee, consisting of Mr. Rutledge, Mr. Gilman, Mr. Jackson, Mr. Howell, Mr. Dyer, Mr. Duane, Mr. Wither Spoon, Mr. Fitzsimmons, Mr. McKean, Mr. Hanson, Mr. Lee, Mr. Williamson and Mr. Telfair, to whom were referred a letter of the 21st of October, 1782, from the legislature of Massachusetts, and a motion of Mr. Osgood ; having reported thereon as follows :

“ That individuals in each state, who are possessed of continental paper money, be entitled to receive from the commissioner who is or shall be appointed to settle the accounts of the several states, and of individuals therein, against the United States, a specie certificate for all such sums of the said money as they shall respectively pay into the hands of such commissioner, at the rate of one silver dollar for every continental dollars ; the certificates to bear interest of six per cent. from the date, and be provided for as other public debts ; but that no money shall be received or certificates granted by the said commissioners after the last day of December, 1783. That the states which have not sunk the proportions assigned to them, of the continental money, be charged with the deficiency, or the amount of what they have not sunk, at the rate aforesaid.” And the said report being taken into consideration, a motion was made by Mr. Williamson, seconded by Mr. Carroll, that the farther consideration be postponed ; and on the question for postponing, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	no	}	no
	Mr. Gorham,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Ellsworth,	no	}	no
	Mr. Wolcott,	no		
	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Floyd,	no	}	no
	Mr. Hamilton,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	ay
	Mr. Elmer,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	no		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		



<i>Delaware,</i>	Mr. Dickinson,	ay	}	ay
	Mr. Wharton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
	Mr. Madison,	no		
<i>Virginia,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>North-Carolina,</i>	Mr. Blount,	no	}	divided.
	Mr. Rutledge,	ay		
	Mr. Ramsay,	ay		
	Mr. Gervais,	no		

So the motion was lost.

A motion was then made by Mr. Wolcott, seconded by Mr. Gervais, that the consideration of the report be postponed to take up the following motion:

“That it be recommended to the several states, that they immediately take the most effectual measures to redeem their respective quotas of the old bills of public credit out of the hands of their possessors, upon such principles as will in their opinion render the most substantial justice to their own citizens and those of the United States:”

And on the question, the yeas and nays being required by Mr. Wolcott,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Osgood,	no	}	no
	Mr. Gorham,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Ellsworth,	ay	}	ay
	Mr. Wolcott,	ay		
	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Floyd,	ay	}	divided.
	Mr. Hamilton,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	ay
	Mr. Elmer,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	no		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Dickinson,	no	}	divided.
	Mr. Wharton,	ay		
<i>Maryland,</i>	Mr. Carroll,	no	}	*
	Mr. Madison,	no		
<i>Virginia,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>North-Carolina,</i>	Mr. Rutledge,	no	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So the question was lost.



A motion was made by Mr. Hamilton, seconded by Mr. Collins, that the blank in the report be filled with the word "forty :"

And on the question to agree to this, the yeas and nays being required by Mr. Osgood,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	ay
	Mr. Arnold,	ay		
<i>Connecticut,</i>	Mr. Ellsworth,	no	}	no
	Mr. Wolcott,	no		
<i>New-York,</i>	Mr. Dyer,	no	}	divided.
	Mr. Floyd,	no		
<i>New-Jersey,</i>	Mr. Hamilton,	ay	}	no
	Mr. Boudinot,	ay		
	Mr. Elmer,	no	}	no
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Mifflin,	no	}	no
	Mr. Fitzsimmons,	no		
	Mr. Wilson,	no	}	no
	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. Peters,	no	}	divided.
	Mr. Dickinson,	no		
	Mr. Wharton,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	no		
<i>Virginia,</i>	Mr. Madison,	no	}	*
<i>North-Carolina,</i>	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	no
<i>South-Carolina,</i>	Mr. Rutledge,	no		
	Mr. Ramsay,	no	}	no
	Mr. Izard,	no		
	Mr. Gervais,	no	}	no

So the question was lost.

A motion was made by Mr. Osgood, seconded by Mr. Arnold, that the blank be filled with "seventy-five :"

And on the question to agree thereto, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Osgood,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	divided.
	Mr. Arnold,	ay		
<i>Connecticut,</i>	Mr. Ellsworth,	no	}	no
	Mr. Wolcott,	ay		
<i>New-York,</i>	Mr. Dyer,	no	}	no
	Mr. Floyd,	no		
	Mr. Hamilton,	no	}	no



<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Elmer,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Mifflin,	no	}	no
	Mr. Fitzsimmons,	no		
	Mr. Wilson,	no		
	Mr. Montgomery,	no		
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Dickinson,	no	}	no
	Mr. Wharton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	*
<i>Virginia,</i>	Mr. Madison,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Ramsay,	no		
	Mr. Izard,	no		
	Mr. Gervais,	no		

So the question was lost.

— ❖ —

*TUESDAY, January 14, 1783.*

The committee, consisting of Mr. Gilman, Mr. Hamilton and Mr. Ellsworth, to whom were referred a motion of Mr. Arnold, for transmitting to the executive of Rhode-Island fundry extracts of public letters from Europe, and some subsequent motions thereon; report,

“ That in their opinion it would be improper for Congress to concur in the object of that motion, as, with respect to a part of the extracts specified, relating merely to the general growing political importance of these states, the injunction of secrecy being taken off, any member who inclines to communicate them to his state may take copies of them, and more especially as Mr. Howell was furnished with complete copies of letters, from which particular detached sentences are now requested; and with respect to such extracts as relate to the subject of foreign loans, they are already within the purview of the resolution of the 20th of December last, directing the secretary for foreign affairs, to transmit to the executive of the state of Rhode-Island, an authenticated state of the applications for foreign loans, and the result; that the same observation applies to that part of the motion which relates generally to the transmission of the letters from our foreign ministers, on the subject of loans not under the injunction of secrecy, with this additional consideration, that such of those letters, as would in fact throw light upon the subject, comprehend many delicate transactions, which it is the duty of Congress, at the present juncture, to conceal: the committee, notwithstanding, are of opinion, that to obviate misrepresentation, it will be adviseable to transmit to the executive of the state of Rhode-Island, a copy of Mr. Arnold's motion, and the proceedings thereupon, with a request, that precautions may be taken to prevent their appearing in the public prints.”

On the question, resolved, that Congress agree to the said report.

— ❖ —

*WEDNESDAY, January 15, 1783.*

The hon. the minister plenipotentiary of his most Christian majesty



having notified to Congress, that the term allowed to the capitulants of St. Christophers, Nevis and Montserrat, for receiving cargoes from Great-Britain, and for loading back the vessels under neutral colours, for that kingdom is expired ; and that the governor-general of those islands is instructed to grant no more permits for such purposes.

*Ordered*, That the notification be published.

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THURSDAY, January 16, 1783.

A letter, of the 15th, from the war-office, was read, accompanied with one of the same date, from brigadier-general O. H. Williams, representing that the present state of the army, and the late arrangement of brigadiers to districts, render it impossible that brigadier Williams should obtain any command, and expressing a wish, that he may be permitted to retire with the emoluments allowed to retiring officers ; whereupon,

*Resolved*, That brigadier-general O. H. Williams be permitted to retire from service, with the emoluments allowed by the acts of Congress to supernumerary officers.

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FRIDAY, January 17, 1783.

On the report of a committee, consisting of Mr. Rutledge, Mr. Mifflin and Mr. Williamson, to whom was referred a letter of the 19th of December last, from major-general Greene, giving information of the evacuation of Charlestown, by the British, and of our being by that event in complete possession of all the southern states :

*Resolved*, That the thanks of the United States in Congress assembled, be presented to major-general Greene, for his many signal and important services ; and that he be assured that Congress retain a lively sense of the frequent and uniform proofs he has given of prudence, wisdom and military skill, during his command in the southern-department.

*Resolved*, That general Greene be desired to present the thanks of the United States in Congress assembled, to the officers and private soldiers under his command, who, in all the vicissitudes of season, under the numerous inconveniencies of long and rapid marches in a country plundered and desolated by an enemy greatly superior in force, have surmounted every difficulty and danger, and manifested such bravery, perseverance and fortitude, as to do honor to themselves and to the cause they have so zealously and successfully supported.

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TUESDAY, January 21, 1783.

The superintendant of finance having laid before Congress a copy of a contract between his most Christian majesty and the United States of America, entered into and executed on the 16th of July, 1782, by the count de Vergennes and Dr. B. Franklin, for ascertaining the sums of money advanced on loan by his majesty to the United States, and settling the terms of payment ; and it being stipulated in the said contract, that the ratifications thereof shall be exchanged in nine months from the date, or sooner if possible :

*Ordered*, That the secretary prepare and lay before Congress the form of a ratification.



A letter, of the 8th of October, 1782, from the hon. J. Adams, was read, accompanied with a certified copy of a treaty of amity and commerce, and of a convention respecting re-captured vessels, agreed to between their high mightinesses the states general of the Netherlands, and the United States of America, on the said 8th day of October, 1782.

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WEDNESDAY, January 22, 1783.

The form of a ratification being brought in and agreed to, the contract between his most Christian majesty and the United States of America, entered into on the 16th of July, 1782, was ratified.

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THURSDAY, January 23, 1783.

On motion of Mr. Ellsworth, seconded by Mr. Hamilton,

*Resolved*, That the commissioner for settling the accounts of the commissary-general's department, be directed to reduce into specie value, the whole of the purchases and expenditure of the late commissary-general, Joseph Trumbull, the value to be ascertained at the end of every month, and to estimate the commission on the said expenditures in specie, agreeable to the rates mentioned in the act of Congress of the 31st day of March, 1779.

On the report of a committee, consisting of Mr. Madison, Mr. Hamilton and Mr. Ellsworth, to whom were referred the letter of the 8th of October, 1782, from the minister plenipotentiary at the Hague, with copies of a treaty of amity and commerce, and of a convention concerning vessels re-captured.

*Resolved*, That the said treaty of amity and commerce, and the said convention, concerning vessels re-captured, between their high mightinesses the states general of the Netherlands, and the United States of America, dated at the Hague, the 8th day of October, 1782, be accepted and ratified, and that the forms of the ratifications be as follows :

*Form of a Ratification for the Treaty of Amity and Commerce.*

The United States of America in Congress assembled, to all who shall see these presents, greeting.

Whereas by our commission, dated at Philadelphia, the 29th day of December, 1780, John Adams, formerly a delegate from Massachusetts, &c. was nominated and constituted our minister, with full powers on the part of the United States of America, to concert and conclude, with persons equally empowered on the part of their high mightinesses, the states general of the United Netherlands, a treaty of amity and commerce, having for its basis the most perfect equality, and for its object the mutual advantage of the parties we promising, in good faith, to ratify whatever should be transacted by virtue of the said commission: and whereas our said minister, in pursuance of his full powers at the Hague, on the 8th day of October, 1782, with George Van Randwyck, B. V. D. Santheuvel, P. V. Bleiswyk, W. C. H. Van Lynden, D. J. Van Heekeren, Joan Van Kuffeller, F. G. Van Dedemtoden Gelder, H. Tjassens, plenipotentiaries, named for that purpose, on the part of their high mightinesses, the states general of the



United Netherlands, did conclude and sign on the part of their high mightinesses, &c. and of the United States of America, a treaty of amity and commerce, in the words following, to wit :

[Here insert the treaty.]

Now be it known, that we, the said United States of America in Congress assembled, have accepted and approved, and do by these presents ratify and confirm the said treaty, and every article and clause thereof: and we do authorize and direct our minister plenipotentiary at the Hague, to deliver this our act of ratification, in exchange for the ratification of the said treaty by their high mightinesses, the states general of the United Netherlands. In testimony whereof, we have caused our seal to be hereunto affixed.

Witness his excellency Elias Boudinot, president, this 23d day of January, 1783, and of our sovereignty and independence the 7th.

*Form of a Ratification for the Convention concerning re-captured vessels.*

The United States of America in Congress assembled, to all who shall see these presents, greeting.

Whereas John Adams, our minister plenipotentiary, at the Hague, on the 8th day of October, 1782, with George Van Randwyck, B. V. D. Santheuvel, P. V. Bleifwyk, W. C. H. Van Lynden, D. J. Van Heeckeren, Joan Van Kuffeler, F. G. Van Dedemtoden Gelder, H. Tjassens, ministers plenipotentiaries of the lords of the states general of the United Netherlands, did conclude and sign on the part of the said lords, the states general of the United Netherlands, and of the United States of America, a convention concerning vessels re-captured, in the words following, to wit :

[Here insert the convention.]

Now be it known, that we, the said United States of America in Congress assembled, have accepted and approved, and do by these presents ratify and confirm the same, and do authorize and direct the minister plenipotentiary of the United States at the Hague, to deliver this our act of ratification, in exchange for the ratification of the said convention by the lords, the states general of the United Netherlands.

In testimony whereof, we have caused our seal to be hereunto affixed.

Witness his excellency Elias Boudinot, president, this 23d day of January, 1783, and of our sovereignty and independence the 7th.

The committee having reported the draught of a proclamation to be issued by Congress, the same was agreed to as follows :

*By the United States in Congress assembled :*

#### A PROCLAMATION.

Whereas in pursuance of a plenipotentiary commission, given on the 29th day of December, 1780, to the hon. John Adams, Esq; a treaty of amity and commerce, between their high mightinesses, the states general of the United Netherlands, and the United States of America, was on the 8th day of October, 1782, concluded by the said John Adams, with plenipotentiaries named for that purpose by their said high mightinesses the states general of the United Netherlands: and where-



as the said treaty hath been this day approved and ratified by the United States in Congress assembled, as the same is contained in the words following, to wit :

*A Treaty of Amity and Commerce, between their high mightinesses, the states general of the United Netherlands, and the United States of America, to wit, New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia.*

Their high mightinesses, the states general of the United Netherlands, and the United States of America, to wit, New-Hampshire, Massachusetts, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, desiring to ascertain, in a permanent and equitable manner, the rules to be observed, relative to the commerce and correspondence which they intend to establish between their respective states, countries and inhabitants, have judged that the said end cannot be better obtained, than by establishing the most perfect equality and reciprocity for the basis of their agreement, and by avoiding all those burthenfome preferences which are usually the sources of debate, embarrassment and discontent ; by leaving also each party at liberty to make, respecting commerce and navigation, such ulterior regulations as it shall find most convenient to itself, and by founding the advantages of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving with all, to each party the liberty of admitting, at its pleasure, other nations to a participation of the same advantages.

On these principles their high mightinesses, the states general of the United Netherlands, have named for their plenipotentiaries, from the midst of their assembly, Messrs. their deputies for the foreign affairs ; and the said United States of America, on their part, have furnished with full powers, Mr. John Adams, late commissioner of the United States of America at the court of Versailles, heretofore delegate in Congress, from the state of Massachusetts-Bay, and chief justice of the said state ; who have agreed and concluded as follows, to wit :

Art. 1. There shall be a firm, inviolable and universal peace and sincere friendship between their high mightinesses the lords, the states general of the United Netherlands and the United States of America ; and between the subjects and inhabitants of the said parties, and between the countries, islands, cities and places situated under the jurisdiction of the said United Netherlands and the said United States of America, their subjects and inhabitants of every degree, without exception of persons or places.

Art. 2. The subjects of the said states general of the United Netherlands, shall pay in the ports, havens, roads, countries, islands, cities or places of the United States of America, or any of them, no other nor greater duties or impost, of whatever nature or denomination they may be, than those which the nations the most favoured are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges,



immunities and exemptions in trade, navigation and commerce which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or in going from any of those ports to any foreign port of the world, or from any foreign port of the world to any of those ports.

Art. 3 The subjects and inhabitants of the said United States of America, shall pay in the ports, havens, roads, countries, islands, cities or places of the said United Netherlands, or any of them, no other nor greater duties or imposts of whatever nature and denomination they may be, than those which the nations the most favoured are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or from any one towards any one of those ports, from or to any foreign port of the world : and the United States of America, with their subjects and inhabitants, shall leave to those of their high mightinesses, the peaceable enjoyment of their rights in the countries, islands and seas in the East and West-Indies, without any hindrance or molestation.

Art. 4. There shall be an entire and perfect liberty of conscience allowed to the subjects and inhabitants of each party, and to their families, and no one shall be molested in regard to his worship, provided he submits as to the public demonstration of it, to the laws of the country : there shall be given moreover liberty, when any subjects or inhabitants of either party shall die in the territory of the other, to bury them in the usual burying places, or in decent and convenient grounds to be appointed for that purpose, as occasion shall require : and the dead bodies of those who are buried, shall not in anywise be molested. And the two contracting parties shall provide, each one in his jurisdiction, that their respective subjects and inhabitants may henceforward obtain the requisite certificates in cases of deaths in which they shall be interested.

Art. 5. Their high mightinesses, the states general of the United Netherlands, and the United States of America shall endeavour, by all the means in their power, to defend and protect all vessels and other effects belonging to their subjects and inhabitants respectively, or to any of them, in their ports, roads, havens, internal seas, passes, rivers, and as far as their jurisdiction extends at sea, and to recover and cause to be restored to the true proprietors, their agents or attornies, all such vessels and effects, which shall be taken under their jurisdiction : and their vessels of war and convoys, in cases when they may have a common enemy, shall take under their protection all the vessels belonging to the subjects and inhabitants of either party, which shall not be laden with contraband goods, according to the description which shall be made of them hereafter, for places, with which one of the parties is in peace, and the other at war, nor destined for any place blocked, and which shall hold the same course or follow the same rout ; and they shall defend such vessels as long as they shall hold the same course, or follow the same rout, against all attacks, force and violence of the common enemy, in the same manner, as they ought to protect and defend the vessels, belonging to their own respective subjects.



Art. 6. The subjects of the contracting parties may, on one side and on the other, in the respective countries and states, dispose of their effects by testament, donation or otherwise, and their heirs, subjects of one of the parties, and residing in the country of the other, or elsewhere, shall receive such successions, even *ab in testato*, whether in person or by their attorney or substitute, even although they shall not have obtained letters of naturalization, without having the effect of such commission contested under pretext of any rights or prerogatives of any province, city or private person; and if the heirs, to whom such successions may have fallen, shall be minors, the tutors or curators, established by the judge domiciliary of the said minors, may govern, direct, administer, sell and alienate the effects fallen to the said minors, by inheritance; and in general, in relation to the said successions and effects, use all the rights and fulfil all the functions, which belong by the disposition of the laws, to guardians, tutors, and curators: provided nevertheless, that this disposition cannot take place, but in cases where the testator shall not have named guardians, tutors, curators by testament, codicil, or other legal instrument.

Art. 7. It shall be lawful and free for the subjects of each party, to employ such advocates, attornies, notaries, solicitors or factors, as they shall judge proper.

Art. 8. Merchants, masters and owners of ships, mariners, men of all kinds, ships and vessels, and all merchandizes, and goods in general, and effects of one of the confederates, or of the subjects thereof, shall not be seized or detained in any of the countries, lands, islands, cities, places, ports, shores or dominations whatsoever of the other confederate, for any military expedition, public or private use of any one, by arrests, violence or any colour thereof; much less shall it be permitted to the subjects of either party, to take or extort by force, any thing from the subjects of the other party, without the consent of the owner: which however is not to be understood of seizures, detentions and arrests, which shall be made by the command and authority of justice, and by the ordinary methods, on account of debts or crimes, in respect whereof, the proceedings must be, by way of law, according to the forms of justice.

Art. 9. It is further agreed and concluded, that it shall be wholly free for all merchants, commanders of ships and other subjects and inhabitants of the contracting parties, in every place subjected to the jurisdiction of the two powers respectively, to manage themselves, their own business. And moreover as to the use of interpreters, or brokers, as also in relation to the loading or unloading of their vessels, and every thing which has relation thereto, they shall be, on one side and on the other, considered and treated upon the footing of natural subjects, or at least upon an equality with the most favoured nation.

Art. 10. The merchant-ships of either of the parties coming from the port of an enemy, or from their own or a neutral port, may navigate freely towards any port of an enemy of the other ally: they shall be, nevertheless, held, whenever it shall be required, to exhibit, as well upon the high seas as in the ports, their sea-letters and other documents, described in the 25th article, stating expressly that their effects are not of the number of those, which are prohibited as con-



traband : and not having any contraband goods for an enemy's port, they may freely and without hindrance, pursue their voyage towards the port of an enemy. Nevertheless it shall not be required to examine the papers of vessels convoyed by vessels of war, but credence shall be given to the word of the officer, who shall conduct the convoy.

Art. 11. If by exhibiting the sea-letters and other documents described more particularly in the 25th article of this treaty, the other party shall discover there are any of those sorts of goods, which are declared prohibited and contraband, and that they are consigned for a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, nor to open any chest, coffer, packs, casks or other vessels found therein, or to remove the smallest parcel of her goods, whether the said vessel belongs to the subjects of their high mightinesses, the states general of the United Netherlands, or to the subjects or inhabitants of the said United States of America, unless the lading be brought on shore, in presence of the officers of the court of admiralty, and an inventory thereof made, but there shall be no allowance to sell, exchange or alienate the same, until after that due and lawful process shall have been had against such prohibited goods of contraband, and the court of admiralty, by a sentence pronounced, shall have confiscated the same, saving always as well the ship itself as any other goods found therein, which are to be esteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much less shall they be confiscated as lawful prize : but on the contrary, when by the visitation at land, it shall be found that there are no contraband goods in the vessel, and it shall not appear by the papers, that he who has taken and carried in the vessel has been able to discover any there, he ought to be condemned in all the charges, damages and interests of them which he shall have caused, both to the owner of vessels and to the owners and freighters of cargoes, with which they shall be loaded, by his temerity in taking and carrying them in, declaring most expressly, the free vessels shall assure the liberty of the effects with which they shall be loaded, and that this liberty shall extend itself equally to the persons who shall be found in a free vessel, who may not be taken out of her, unless they are military-men, actually in the service of an enemy.

Art. 12. On the contrary it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party, on any ship belonging to the enemies of the other, or to their subjects, although it be not comprehended under the sort of prohibited goods, the whole may be confiscated, in the same manner as if it belonged to the enemy : except nevertheless such effects and merchandizes, as were put on board such vessel, before the declaration of war, or in the space of six months after it, which effects shall not be in any manner subject to confiscation, but shall be faithfully and without delay restored in nature to the owners, who shall claim them or cause them to be claimed, before the confiscation and sale, as also their proceeds, if the claim could not be made but in the space of eight months after the sale, which ought to be public : provided nevertheless, that if the said merchandizes are contraband, it shall by no means be lawful to transport them afterwards to any port belonging to enemies.



Art. 13. And that more effectual care may be taken for the security of subjects and people of either party, that they do not suffer molestation from the vessels of war, or privateers of the other party, it shall be forbidden to all commanders of vessels of war, and other armed vessels of the said states general of the United Netherlands, and the said United States of America, as well as to all their officers, subjects and people, to give any offence or do any damage to those of the other party; and if they act to the contrary, they shall be, upon the first complaint which shall be made of it, being found guilty after a just examination, punished by their proper judges, and moreover obliged to make satisfaction for all damages and interests thereof, by reparation, under pain and obligation of their persons and goods.

Art. 14. For further determining of what has been said, all captains of privateers, or fitters out of vessels armed for war, under commission and on account of private persons, shall be held before their departure, to give sufficient caution before competent judges, either to be entirely responsible for the malversations which they may commit in their cruises or voyages, as well as for the contraventions of their captains and officers, against the present treaty, and against the ordinances and edicts which shall be published in consequence of, and conformity to it, under pain of forfeiture and nullity of the said commission.

Art. 15. All vessels and merchandizes of whatsoever nature, which shall be rescued out of the hands of any pirates or robbers, navigating the high-seas without requisite commissions, shall be brought into some port of one of the two states, and deposited in the hands of the officers of that port, in order to be restored entire to the true proprietor, as soon as due and sufficient proofs shall be made, concerning the property thereof.

Art. 16. If any ships or vessels belonging to either of the parties, their subjects or people shall, within the coasts or dominations of the other, stick upon the sands or be wrecked, or suffer any other sea damage, all friendly assistance and relief shall be given to the persons ship-wrecked, or such as shall be in danger thereof; and the vessels, effects and merchandizes, or the part of them which shall have been saved, or the proceeds of them, if being perishable they shall have been sold, being claimed within a year and a day, by the masters or owners, or their agents or attornies, shall be restored, paying only the reasonable charges, and that which must be paid, in the same case, for the salvage, by the proper subjects of the country: there shall also be delivered them safe conducts or passports, for their free and safe passage from thence, and to return each one to his own country.

Art. 17. In case the subjects or people of either party, with their shipping, whether public and of war, or private and of merchants, be forced through stress of weather, pursuit of pirates or enemies, or any other urgent necessity, for seeking of shelter and harbour, to retreat and enter into any of the rivers, creeks, bays, ports, roads or shores belonging to the other party, they shall be received with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves at reasonable rates, with victuals and all things needful for the sustenance of their persons,



or reparation of their ships; and they shall no ways be detained or hindred from returning out of the said ports or roads, but may remove and depart when and whither they please, without any let or hindrance.

Art. 18. For the better promoting of commerce on both sides, it is agreed, that if a war should break out between their high mightinesses the states general of the United Netherlands and the United States of America, there shall always be granted to the subjects on each side, the term of nine months after the date of the rupture, or the proclamation of war, to the end that they may retire with their effects, and transport them where they please, which it shall be lawful for them to do, as well as to sell or transport their effects and goods in all freedom, and without any hindrance, and without being able to proceed during the said term of nine months, to any arrest of their effects, much less of their persons; on the contrary, there shall be given them, for their vessels and their effects which they would carry away, passports and safe conducts for the nearest ports of their respective countries, and for the time necessary for the voyage; and no prize made at sea shall be adjudged lawful, at least if the declaration of war was not or could not be known in the last port which the vessel taken has quitted; but for whatever may have been taken from the subjects and inhabitants of either party, and for the offences which may have been given them in the interval of the said terms, a complete satisfaction shall be given them.

Art. 19. No subject of their high mightinesses the states general of the United Netherlands, shall apply for or take any commission or letters of marque for arming any ship or ships, to act as privateers against the said United States of America or any of them, or the subjects and inhabitants of the said United States or any of them, or against the property of the inhabitants of any of them, from any prince or state with which the said United States of America may happen to be at war; nor shall any subject or inhabitant of the United States of America, or any of them, apply for or take any commission or letters of marque for arming any ship or ships, to act as privateers against the high and mighty lords the states general of the United Netherlands, or against the subjects of their high mightinesses or any of them, or against the property of any one of them, from any prince or state with which their high mightinesses may be at war: and if any person of either nation shall take such commission or letters of marque, he shall be punished as a pirate.

Art. 20. If the vessels of the subjects or inhabitants of one of the parties, come upon any coast belonging to either of the said allies, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or break bulk, or take in any cargo, they shall not be obliged to pay neither for the vessels nor the cargoes, any duties of entry in or out, nor to render any account of their cargoes, at least if there is not just cause to presume that they carry to an enemy, merchandizes of contraband.

Art. 21. The two contracting parties grant to each other mutually, the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries of their own appointing, whose functions shall be regulated by particular agreement, whenever either party choose to make such appointments.



Art. 22. This treaty shall not be understood in any manner to derogate from the 9th, 10th, 19th and 24th articles of the treaty with France, as they were numbered in the same treaty, concluded the 6th of February, 1778, and which make the articles 9th, 10th, 17th and 22d of the treaty of commerce now subsisting between the United States of America and the crown of France: nor shall it hinder his Catholic majesty from acceding to that treaty, and enjoying the advantages of the said four articles.

Art. 23. If at any time the United States of America shall judge it necessary to commence negociations with the king or emperor of Morocco and Fez, and with the regencies of Algiers, Tunis or Tripoli, or with any of them, to obtain passports for the security of their navigation in the Mediterranean sea; their high mightinesses promise, that upon the requisition which the United States of America shall make of it, they will second such negociations in the most favourable manner, by means of their consuls residing near the said king, emperor and regencies.

#### CONTRABAND.

Art. 24. The liberty of navigation and commerce shall extend to all sorts of merchandizes, excepting only those which are distinguished under the name of contraband or merchandizes prohibited; and under this denomination of contraband and merchandizes prohibited, shall be comprehended only warlike stores and arms, as mortars, artillery with their artifices and appurtenances, fusils, pistols, bombs, grenades, gunpowder, salt-petre, sulphur, match, bullets and balls, pikes, sabres, lances, halberts, casques, cuirasses, and other sorts of arms; as also soldiers, horses, saddles, and furniture for horses. All other effects and merchandizes, not before specified expressly, and even all sorts of naval matters, however proper they may be for the construction and equipment of vessels of war, or for the manufacture of one or another sort of machines of war, by land or sea, shall not be judged contraband, neither by the letter, nor according to any pretended interpretation whatever, ought they or can they be comprehended under the notion of effects prohibited or contraband: so that all effects and merchandizes which are not expressly before named, may without any exception, and in perfect liberty be transported by the subjects and inhabitants of both allies, from and to places belonging to the enemy, excepting only the places which at the same time shall be besieged, blocked or invested, and those places only shall be held for such, which are surrounded nearly by some of the belligerent powers.

Art. 25. To the end that all dissention and quarrel may be avoided and prevented, it has been agreed, that in case that one of the two parties happens to be at war, the vessels belonging to the subjects or inhabitants of the other ally, shall be provided with sea-letters or passports, expressing the name, the property and the burthen of the vessel, as also the name and the place of abode of the master or commander of the said vessel, to the end that thereby it may appear that the vessel really and truly belongs to subjects or inhabitants of one of the parties; which passports shall be drawn and distributed according to the form annexed to this treaty; each time that the vessel shall return, she should have such her passport renewed, or at least they ought not



to be of more ancient date than two years, before the vessel has been returned to her own country.

It has been also agreed that such vessels, being loaded, ought to be provided not only with the said passports or sea-letters, but also with a general passport, or with particular passports or manifests, or other public documents which are ordinarily given to vessels outward-bound, in the ports from whence the vessels have set sail in the last place, containing a specification of the cargo, of the place from whence the vessel departed, and of that of her destination, or instead of all these, with certificates from the magistrates or governors of cities, places and colonies, from whence the vessel came, given in the usual form, to the end that it may be known whether there are any effects prohibited or contraband on board the vessels, and whether they are destined to be carried to an enemy's country or not. And in case any one judges proper, to express, in the said documents, the persons to whom the effects on board belong, he may do it freely, without however being bound to do it; and the omission of such expression cannot and ought not to cause a confiscation.

Art. 26. If the vessels of the said subjects, or inhabitants of either of the parties, sailing along the coasts or on the high seas, are met by a vessel of war or privateer, or other armed vessel of the other party, the said vessels of war, privateers or armed vessels, for avoiding all disorder, shall remain without the reach of cannon, but may send their boats on board the merchant vessel which they shall meet in this manner, upon which they may not pass more than two or three men, to whom the master or commander shall exhibit his passport, containing the property of the vessel, according to the form annexed to this treaty; and the vessel, after having exhibited such a passport, sea-letter and other documents, shall be free to continue her voyage, so that it shall not be lawful to molest her, or search her in any manner, nor to give her chase, nor to force her to alter her course.

Art. 27. It shall be lawful for merchants, captains and commanders of vessels, whether public and of war, or private, and of merchants, belonging to the United States of America, or any of them, or to their subjects and inhabitants, to take freely into their service, and receive on board of their vessels, in any port or place in the jurisdiction of their high mightinesses aforesaid, seamen or others, natives or inhabitants of any of the said states, upon such conditions as they shall agree on, without being subject for this to any fine, penalty, punishment, process or reprehension whatsoever: and reciprocally, all merchants, captains and commanders, belonging to the said United Netherlands, shall enjoy, in all the ports and places under the obedience of the said United States of America, the same privilege of engaging and receiving seamen or others, natives or inhabitants of any country of the domination of the said states general; provided, that neither on one side nor the other, they may not take into their service such of their countrymen who have already engaged in the service of the other party contracting, whether in war or trade, and whether they meet them by land or sea; at least, if the captains or masters, under the command of whom such persons may be found, will not, of his own consent, discharge them from their service, upon pain of being otherwise treated and punished as deserters.



Art. 28. The affair of refraction shall be regulated in all equity and justice, by the magistrates of cities respectively, where it shall be judged that there is any room to complain in this respect.

Art. 29. The present treaty shall be ratified and approved by their high mightinesses, the states general of the United Netherlands, and by the United States of America, and the acts of ratification shall be delivered in good and due form on one side and on the other, in the space of six months, or sooner if possible, to be computed from the day of the signature.

In faith of which, we the deputies and plenipotentiaries of the lords the states general of the United Netherlands, and the minister plenipotentiary of the United States of America, in virtue of our respective authorities and full powers, have signed the present treaty, and apposed thereto the seals of our arms.

Done at the Hague, the 8th of October, 1782.

*The form of the passport which shall be given to ships and vessels, in consequence of the 25th article of this treaty.*

To all, who shall see these presents, greeting : Be it known, that leave and permission are hereby given to \_\_\_\_\_ master and commander of the ship or vessel called \_\_\_\_\_ of the burden of \_\_\_\_\_ tons, or thereabouts, lying at present in the port or haven of \_\_\_\_\_ bound for \_\_\_\_\_ and laden with \_\_\_\_\_ to depart and proceed with his said ship or vessel on his said voyage ; such ship or vessel having been visited, and the said master and commander having made oath before the proper officer, that the said ship or vessel belongs to one or more of the subjects, people or inhabitants of \_\_\_\_\_ and to him or them only. In witness whereof, we have subscribed our names to these presents, and affixed the seal of our arms thereto, and caused the same to be countersigned by \_\_\_\_\_ at \_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord Christ.

*Form of the certificate which shall be given to ships or vessels in consequence of the 25th article of this treaty.*

We, \_\_\_\_\_ magistrates or officers of the customs of the city or port of \_\_\_\_\_ do certify and attest, that on the \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord \_\_\_\_\_ C. D. of \_\_\_\_\_ personally appeared before us, and declared by solemn oath, that the ship or vessel called \_\_\_\_\_ of \_\_\_\_\_ tons or thereabouts, whereof \_\_\_\_\_ of \_\_\_\_\_ is at present master or commander, does rightfully and properly belong to him or them only ; that she is now bound from the city or port of \_\_\_\_\_ to the port of \_\_\_\_\_ laden with goods and merchandizes, here under particularly described and enumerated, as follows :

In witness whereof, we have signed this certificate, and sealed it with the seal of our office, this \_\_\_\_\_ day of \_\_\_\_\_ in the year of our Lord Christ.

*Form of the Sea-Letter.*

Most serene, serene, most puissant, puissant, high, illustrious, noble, honorable, venerable, wise and prudent lords, emperors, kings, repub-



lics, princes, dukes, earls, barons, lords, burgo-masters, chepons, councillors, as also judges, officers, justiciaries and regents, of all the good cities and places, whether ecclesiastical or secular, who shall see these patents, or hear them read : We, burgo-masters, and regents of the city of                    make known, that the master of                    appearing before us, has declared upon oath, that the vessel called                    of the burthen of about                    lasts, which he at present navigates, is of the United Provinces, and that no subjects of the enemy have any part or portion therein, directly nor indirectly ; so may God Almighty help him : and as we wish to see the said master prosper in his lawful affairs, our prayer is, to all the before-mentioned, and to each of them separately, where the said master shall arrive with his vessel and cargo, that they may please to receive the said master with goodness, and to treat him in a becoming manner, permitting him upon the usual tolls and expenses, in passing and repassing, to pass, navigate and frequent the ports, passes and territories, to the end to transact his business, where and in what manner he shall judge proper ; whereof we shall be willingly indebted.

In witness, and for cause whereof, we affix hereto the seal of this city  
(In the margin.)

By ordinance of the high and mighty lords the states general of the United Netherlands.

And whereas a convention, concerning vessels re-captured, was at the place and on the day above-mentioned, concluded by the said minister plenipotentiary, on the part of these United States, with the said plenipotentiaries on the part of the said lords, the states general of the United Netherlands ; and the same hath been this day approved and ratified by the United States in Congress assembled, as it is contained in the words following, to wit :

Convention between the lords the states general of the United Netherlands and the United States of America, concerning vessels re-captured.

The lords the states general of the United Netherlands, and the United States of America, being inclined to establish some uniform principles, with relation to prizes made by vessels of war, and commissioned by the two contracting powers, upon their common enemies, and to vessels of the subjects of either party, captured by the enemy and re-captured by vessels of war commissioned by either party ; have agreed upon the following articles :

Art. 1. The vessels of either of the two nations, re-capturrd by the privateers of the other, shall be restored to the first proprietor, if such vessels have not been 24 hours in the power of the enemy ; provided the owner of the vessel re-captured pay therefor  $\frac{1}{3}$ d of the value of the vessel, as also of that of the cargo, the cannons and apparel ; which third shall be valued by agreement between the parties interested, or, if they cannot agree thereon among themselves, they shall address themselves to the officers of the admiralty of the place where the privateer who has re-taken the vessel shall have conducted her.

Art. 2. If the vessel re-captured has been more than 24 hours in the power of the enemy, she shall belong entirely to the privateer who has re-taken her.



Art. 3. In case a vessel shall have been re-captured by a vessel of war belonging to the states general of the United Netherlands, or to the United States of America, she shall be restored to the first owner, he paying a 30th part of the value of the ship, her cargo, cannons and apparel, if she has been re-captured in the interval of 24 hours, and the 10th part if she has been re-captured after the 24 hours; which sums shall be distributed in form of gratifications to the crews of the vessels which shall have re-taken her. The valuation of the said 30th parts and 10th parts, shall be regulated according to the tenor of the first article of the present convention.

Art. 4. The restitution of prizes, whether they may have been re-taken by vessels of war or by privateers, in the mean time, and until requisite and sufficient proofs can be given of the property of vessels re-captured, shall be admitted in a reasonable time, under sufficient sureties for the observation of the aforesaid articles.

Art. 5. The vessels of war and privateers of one and of the other of the two nations, shall be reciprocally, both in Europe and in the other parts of the world, admitted in the respective ports of each, with their prizes, which may be unloaded and sold according to the formalities used in the state where the prize shall have been conducted, as far as may be consistent with the 22d article of the treaty of commerce: provided always, that the legality of prizes, by the vessels of the low-countries, shall be decided conformably to the laws and regulations established in the United Netherlands; as likewise, that of prizes made by American vessels, shall be judged according to the laws and regulations determined by the United States of America.

Art. 6. Moreover it shall be free for the states general of the United Netherlands, as well as for the United States of America, to make such regulations as they shall judge necessary, relative to the conduct which their respective vessels and privateers ought to hold in relation to the vessels which they shall have taken and conducted into the ports of the two powers.

In faith of which, we, the deputies and plenipotentiaries of the lords the states general of the United Netherlands, and minister plenipotentiary of the United States of America, have in virtue of our respective authorities and full powers, signed these presents, and confirmed the same with the seal of our arms.

Done at the Hague, the 8th of October, 1782.

Now therefore, to the end that the said treaty and convention may, with all good faith, be performed and observed on the part of these United States, all the citizens and inhabitants thereof, and more especially all captains and other officers and seamen belonging to any vessels of war of these United States, or any of them, or of any private armed vessels commissioned by Congress, are hereby enjoined and required to govern themselves strictly in all things according to the stipulations above recited.

Done in Congress, this 23d day of January, in the year of our Lord 1783, and of our sovereignty and independence the 7th.

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FRIDAY, January 24, 1783.

On the report of a committee, consisting of Mr. Rutledge, Mr.



Wolcott and Mr. Madison, to whom was referred a memorial from John Hannum, Persifor Frazer and Joseph Gardner :

Whereas complaint hath been made to Congress by Persifor Frazer, John Hannum and Joseph Gardner, in behalf of themselves and others, that there are good grounds, not only from former transactions, but for other reasons, to believe that great abuse has been attempted of a passport granted by the commander in chief, for the protection of clothing and other necessities sent from New-York in the ship Amazon, for the use of British and German prisoners of war ; and that private and unwarrantable advantages are intended, by introducing for sale, under cover of the said passport, a considerable quantity of British goods and merchandize :

*Resolved*, That the assistant secretary at war be directed to cause the goods imported in the ship Amazon, and not delivered to the British or German prisoners of war, to be forthwith examined and compared with the passport under which they have been imported, by proper persons ; and that his excellency the president and the supreme executive council of the state of Pennsylvania, be requested to nominate one of the said persons.

*Resolved*, That the assistant secretary at war be directed to report to Congress the result of the said enquiry, together with the number of the said prisoners, and of the clothing and other necessities imported in the said vessel, which have been delivered for their use.

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SATURDAY, January 25, 1783.

The grand committee, consisting of a member from each state ; report,

“ That they have considered the contents of a memorial presented by the army, and find that they comprehend five different articles.

1st. Present pay.

2d. A settlement of accounts of the arrearages of pay and security for what is due.

3d. A commutation of the half-pay allowed by different resolutions of Congress for an equivalent in gross.

4th. A settlement of the accounts of deficiencies of rations and compensation.

5th. A settlement of the accounts of deficiencies of clothing and compensation :” whereupon,

*Resolved*, As to the first, that the superintendant of finance be directed conformable to the measures already taken for that purpose, as soon as the state of public finances will permit, to make such payment and in such manner as he shall think proper, until the further order of Congress.

*Resolved*, With respect to the 2d article, so far as relates to the settlement of accounts, that the several states be called upon to complete, without delay, the settlements with their respective lines of the army, up to the first day of August, 1780, and that the superintendant finance be directed to take such measures as shall appear to him most proper for effecting the settlement from that period.

On a question to substitute “ the 1st day of August,” for “ the 31st day of December,” the yeas and nays being required by Mr. Gilman,



<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>White,</i>	<i>no</i>		
<i>Massachusetts,</i>	Mr. <i>Osgood,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Gorham,</i>	<i>no</i>		
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Arnold,</i>	<i>no</i>		
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Wolcott,</i>	<i>ay</i>		
	Mr. <i>Dyer,</i>	<i>ay</i>		
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Hamilton,</i>	<i>ay</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Condict,</i>	<i>ay</i>		
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Fitzsimmons,</i>	<i>ay</i>		
	Mr. <i>Wilson,</i>	<i>ay</i>		
	Mr. <i>Montgomery,</i>	<i>ay</i>		
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>Dickinson,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Wharton,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	*
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Madison,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i>		
	Mr. <i>Hawkins,</i>	<i>ay</i>		
	Mr. <i>Nash,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Williamson,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Rutledge,</i>	<i>ay</i>		
	Mr. <i>Ramsay,</i>	<i>ay</i>		
	Mr. <i>Izard,</i>	<i>ay</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>		

So it passed in the affirmative.

As to what relates to the providing of security for what shall be found due on such settlement :

*Resolved,* That the troops of the United States in common with all the creditors of the same, have an undoubted right to expect such security ; and that Congress will make every effort in their power to obtain from the respective states substantial funds, adequate to the object of funding the whole debt of the United States, and will enter upon an immediate and full consideration of the nature of such funds, and the most likely mode of obtaining them.

*Ordered,* That the remainder of the report be referred to a committee of five :

The members, Mr. Osgood, Mr. Fitzsimmons, Mr. Gervais, Mr. Hamilton, Mr. Wilson.

*Ordered,* That it be an order of the day for Monday next, to take into consideration the means of obtaining from the several states substantial funds, for funding the whole debt of the United States.

MONDAY, January 27, 1783.

Mr. Lee, a delegate for Virginia, attended, and took his seat.



The delegates of Virginia laid before Congress an act of their legislature, repealing the act entitled "an act to enable the Congress of the United States to levy a duty on certain goods and merchandizes, and also on all prizes;" also sundry resolutions of the legislature.

Congress proceeded on the order of the day, but came to no resolution thereon.

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*TUESDAY, January 28, 1783.*

The commander in chief having in a letter of the 20th, informed Congress of the death of major-general lord Stirling.

On motion of Mr. Peters, seconded by Mr. Dickinson,

*Resolved*, That the president signify to the commander in chief, in a manner the most respectful to the memory of the late major-general the earl of Stirling, the sense Congress entertain of the early and meritorious exertions of that general in the common cause, and of the bravery, perseverance and military talents he possessed; which having fixed their esteem for his character, while living, induce a proportionate regret for the loss of an officer who has rendered such constant and important services to his country.

Congress proceeded in the consideration of the subject under debate yesterday, agreeably to the order of the day, but came to no resolution thereon.

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*WEDNESDAY, January 29, 1783.*

Congress proceeded in the consideration of the subject under debate yesterday, agreeably to the order of the day; and,

On motion of Mr. Rutledge, seconded by Mr. Bland,

*Resolved*, That Congress be resolved into a committee of the whole, to consider of the most effectual means of restoring and supporting public credit; and that the motion before the house be referred to that committee.

*Resolved*, That whenever the house is resolved into a committee of the whole, the chairman of the committee be elected by ballot.

The house was then resolved into a committee of the whole, for the purpose above-mentioned.

Mr. Carroll was elected to the chair.

After some time the president resumed the chair, and Mr. Carroll reported, that the committee of the whole had taken into consideration the subject referred to them, and made some progress, but not having come to a conclusion, desire leave to sit again to-morrow.

*Resolved*, That to-morrow morning Congress be again resolved into a committee of the whole, to consider farther the most effectual means of restoring and supporting public credit.

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*THURSDAY, January 30, 1783.*

The committee, consisting of Mr. Carroll, Mr. Gorham, Mr. Fitzsimmons, Mr. Hamilton and Mr. Ramsay, to whom were referred the memorials of the representatives of the commonwealth of Pennsylvania, of the 28th of August and 12th of November last, reported an answer, which was agreed to as follows:

The memorial of the 28th of August, states, that their constituents



labour under grievances, because they are not enabled to settle their accounts against the United States, and because they cannot obtain payment of the debts due to them by the public, nor receive interest on loan-office certificates, dated subsequent to the month of February, 1778. It states further, that apprehensions had taken place, that the interest on certificates of a prior date, would be suspended; that other states made, and were making provision for ascertaining and paying fundry debts due to their citizens, and that the suspension of debts complained of, was a material impediment to the collection of taxes; after which follows a request that Congress will be pleased to devise and recommend such general plan, as they shall think adequate and effectual, for settling and ascertaining the unliquidated debts of the United States, and for paying the same, or at least some part thereof, and also for the regular and punctual payment of the interest on all the public debts, as well on loan as otherwise, until the principal shall be finally discharged.

The subsequent memorial of the 12th of November, after referring particularly to the former, and observing that the business was yet uneffected, declares the assembly to be deeply impressed with the absolute necessity, that speedy and effectual measures be taken to afford relief to the public creditors, at least so far as to liquidate and ascertain their respective claims, and to secure to them the payment of the interest due thereon, until the principal be discharged; and then requests, that Congress will be pleased to give them such information as will enable the house to judge what steps it may be proper to take, in order to afford that effectual relief to the public creditors in Pennsylvania, which they conceive it to be their indispensable duty to procure.

On these memorials Congress remark,

That the objects to which they relate, must necessarily depend on the compliances of the several states with the requisitions of Congress:

That the interest payable by bills of exchange on loan-office certificates, continued until an express declaration made to Congress, that those who should draw bills for that purpose, must provide for the payment of them:

That Congress are not informed of any state which has taken separate measures for satisfying its own citizens who are public creditors; and that there does not appear a possibility of making such a private and partial provision, because the various certificates are principally made payable to the bearer of them, and have been transferred and negotiated. A provision for them by any state, must therefore exclude the demands of many of its own citizens, or admit the demands of all:

That the attempts to pay any of the past debts, would form so heavy a deduction from the greatest revenue which can be raised, as would totally obstruct all present service. Wherefore, the provision to be made at present, ought to be confined to the interest of the public debts:

That such provision would afford eventual relief to the public creditors, and enable them to support their share of the public burthens, without appropriating the whole revenue which can be drawn from the people, to a payment of debts, and leaving thereby the public ser-



vice unprovided for, which would involve the ruin of all ranks, whether creditors or others :

That Congress are and have long been deeply impressed with the absolute necessity, that speedy and effectual measures should be taken, first, to liquidate and ascertain the public debts, and secondly, to secure the payment of the interest, until the principal could be discharged, as will appear from the following facts :

That for the first of these essential objects, Congress had made provision by their acts of the 20th and 27th of February last, and have reason to believe, from the information contained in a letter from the office of finance, dated the 3d of December following, and the report of a committee thereon (both which are annexed) that the plan adopted will speedily be in an effectual train of execution throughout the United States :

That the duty of five per cent. was recommended by Congress so early as the 3d of February, 1781 ; but after a delay of near two years, Congress have the mortification to find, that one state entirely refuses its concurrence, that another has withdrawn its assent once given, and that a third has returned no answer :

That when Congress received the determination of the state of Rhode-Island on that subject, they resolved to send a solemn deputation to that state, to induce a re-consideration of the measure. At the moment when the committee were about to depart, intelligence was received that Virginia had repealed the act formerly passed on that recommendation, which has placed the business on a new ground, and compelled Congress to take it up in a more extensive view.

The inability of Congress to perform the engagements taken with the public creditors will readily appear, when it is considered how defective have been the compliances of the states, in every period of the war.

Without recurring to details previous to the year 1782, it will be sufficient to state the situation of the finances for that year, which is as follows : Congress, by their resolution of the 30th of October, 1781, demanded 8,000,000 of dollars for the service of the ensuing year. Without noticing the lesser neglects of their requisition, the annexed account will shew, that only  $420,031\frac{29}{96}$  have been received.

The precise state of monies in Europe cannot be ascertained, until the final settlement of the accounts there ; because the bills drawn on Spain and Holland, having been finally paid, and made payable in France, the sum in livres of those which remained due at the close of the year 1781, and which had been drawn in guilders and dollars, must depend on the different exchanges between Amsterdam, Madrid and Paris. But, according to the best accounts which can be obtained, the anticipations made in the funds for the year 1782, amounted at the close of 1781, to 4,000,000 of livres. For the service of that year, his most Christian majesty lent the United States 6,000,000 livres. In addition thereto, Mr. Adams opened a loan in Holland, for 10,000,000 of livres, but, by the last accounts from him, he had obtained only 3,000,000 ; so that the whole sum borrowed for the year 1782, being 9,000,000, there remained, after deducting the anticipa-



tions, only 5,000,000, which, according to the course of exchange which has prevailed, will amount to  $833,333\frac{30}{90}$  dollars.

By the annexed account of the receipts and expenditures for the year 1781, it appears, that there were in the treasury, at the commencement of the year 1782,  $292,453\frac{66}{90}$  dollars; so that the whole amount of the sums, which Congress have had to carry on the public business for the year 1782, is no more than  $1,545,818\frac{30}{90}$  dollars.

From the annexed estimates it will appear, that the pay of the American army, according to the present reduced establishment, amounts to

3,038,795 $\frac{32}{90}$ ths.

That the clothing amounts to

1,165,263

That the rations, besides those issuable to }  
prisoners, amount to

1,509,552

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5,713,610 $\frac{32}{90}$ ths.

So that the three branches of feeding, clothing, and paying the army on its present establishment, would amount to  $5,713,610\frac{32}{90}$ ths, without entering into the other branches of service, or considering the necessity of tents, firing, camp-utensils, horses, carriages, forage, military-stores, hospital, and the like.

The incompetency of the revenue will appear from a comparison of it with the sums necessary for feeding and clothing the army, which services alone amount to above 2,500,000 dollars. And what must place the matter in a still more striking point of view, is, that the whole sum, which Congress could command, was not sufficient to pay the interest then due on the public debts. Every circumstance therefore, which has hitherto retarded the measures which Congress have adopted for making provision for the public debts, has increased the necessity of making such a provision. And therefore, notwithstanding the discouraging obstacles they have hitherto encountered, they conceive it a duty to themselves, and to their constituents, to persevere in their intentions, and to renew and extend their endeavours to procure the establishment of revenues equal to the purpose of funding all the debts of the United States. And they think it proper to inform the assembly of Pennsylvania, that this subject is now before them, under solemn deliberation, and that the ready and early compliance of the legislature of Pennsylvania, with the recommendation of the 3d of February, 1781, assures Congress of the vigorous support of that state.

Among the steps taken by Congress to secure the debts incurred for the common defence, they must not omit to mention the recommendation of the 6th of September, 1780, for a cession of part of the western territory, claimed by particular states. In consequence thereof New-York has made a cession accepted by Congress, the nature of which will appear by the act herewith communicated.

Virginia and Connecticut have also made cessions, the acceptance of which have been hitherto delayed by peculiar circumstances. Other states claiming western territory, have not yet complied with the recommendation. Congress cannot help calling the serious attention of the legislature of Pennsylvania, to that subject, which they consider as of importance, not only as it may effect the public credit, but as it will contribute to give general satisfaction to the members of the union.



They intend also to renew their instances with the other states, on the same occasion.

FRIDAY, January 31, 1783.

A grand committee, consisting of a member from each state, to whom was referred the report of a committee on the mode of estimating the value of lands in the United States, with the buildings and improvements thereon, for the purpose mentioned in the articles of confederation; brought in a report, and the same being read:

*Ordered*, That it be referred to the committee of the whole.

Congress was then resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee of the whole have had under their farther consideration the subjects referred to them, and have made some progress, but not having come to a conclusion, desire leave to sit again on Monday.

*Ordered*, That leave be granted.

TUESDAY, February 4, 1783.

Mr. Samuel Holten, a delegate for the state of Massachusetts, attended, and produced his credentials, by which it appears, that on the 4th of October, 1782, he was appointed a delegate to represent that commonwealth until the 5th day of November, 1783.

Congress was resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee had considered farther the subjects referred to them, and desire leave to sit again:

*Ordered*, That leave be granted.

WEDNESDAY, February 5, 1783.

On motion of Mr. Bland, seconded by Mr. Izard,

*Resolved*, That it be a rule of this house, that in a committee of the whole, the vote on every question which shall come before the committee of the whole, shall be taken by states.

Congress was resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee had taken under their further consideration the several matters referred to them, and have come to sundry resolutions which he was ordered to report; but that the committee, not having come to a conclusion, desire leave to sit again:

*Ordered*, That the committee have leave to sit again.

The resolutions reported from the committee of the whole, being received and read:

*Ordered*, That they be taken into consideration to-morrow.

THURSDAY, February 6, 1783.

Mr. John Francis Mercer, a delegate for the commonwealth of Virginia, attended, and produced his credentials, by which it appears, that on the 18th of December, 1782, he was elected in the room of Edmund Randolph, Esq; resigned, to represent that state until the first Monday in November next.

According to order, the report of the committee of the whole was taken into consideration, and a proposition reported from the committee, being amended to read as follows:



“ Whereas by the articles of confederation and perpetual union, it is agreed and declared, that the United States in Congress assembled, shall have authority to ascertain the necessary sums of money to be raised for the service of the United States, and to appropriate and apply the same for defraying the public expenses; that all charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any person, as such land, and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint; and that the taxes for paying that proportion, shall be laid and levied by the authority and direction of the legislature of the several states, within the time agreed on by the United States in Congress assembled.

In order that the treasury of the United States may be supplied in the manner above-mentioned, for defraying all the charges of war and other expenses which have been or shall be incurred for the common defence or general welfare, and allowed by Congress, and that each state may have due credit, according to the principle aforesaid, for the sums of money which it has furnished on the requisitions of Congress, or for the service of the United States:

*Resolved*, That the legislatures of the several states be, and they are hereby required to pass laws, with such clauses and provisions as may be necessary and effectual, for forming or dividing their respective states into such districts as they may judge most convenient and proper, to procure an accurate estimate of the value of all lands in such state, granted to or surveyed for any person, and of the buildings and improvements thereon, appointing commissioners, principal freeholders, resident in the district, where the land to be valued lies, to obtain such valuation; and directing that the said commissioners take an oath or affirmation, faithfully to execute the duties enjoined on them, that in each district, they return to the executive authority of the state, a list or schedule of the names of the respective owners of all the land in such district, which at the time of taking such list shall have been granted to or surveyed for any person, together with an account of the quantity of such land, and of the value in specie dollars of the same, and of the buildings and improvements thereon; and that the executive authority of the state transmit to Congress, on or before the first day of January next, returns of the quantity of land in each district, and of the value of the said land, and of the buildings and improvements thereon, together with copies of the laws passed by the legislature for the purpose aforesaid, in order that Congress may examine such estimates, and if they shall be approved of by them, that they may proceed to make such requisitions upon the respective states, as shall be agreeable to the articles of confederation.”

A motion was made by Mr. Hamilton, seconded by Mr. Fitzsimmons, to postpone the resolution before the house, and to take into consideration the following motion:

Whereas the carrying into execution the 8th article of the confe-



deration, relative to a valuation of land, for ascertaining the quotas of each state towards the general expense, in a manner consistent with justice to all the members of the union, and with such accuracy as the importance of the subject demands, will necessarily be attended with very considerable expense, to which the present state of the public finances is inadequate: and whereas in a matter so fundamental in the confederation, it is essential to the harmony and welfare of the United States, that the said article should be carried into effect with great care, circumspection and impartiality, and a short delay will be much less pernicious than a defective execution; therefore,

*Resolved*, That Congress are under a necessity of deferring the attempt, to a period when the situation of the finances of the United States will admit of the necessary expense for effecting the object with as much precision and equity as possible; and that they will then proceed to such valuation, by commissioners appointed by them and acting under their authority, upon principles uniform throughout the United States: that when this valuation is complete, Congress will finally adjust the accounts of the United States with the states separately, agreeable to that standard, making equitable abatements to such states as have been more immediate sufferers by the war; and in the mean time will adhere, in the temporary adjustment of those accounts, to the proportions established, from time to time, by the several requisitions of Congress; that, for the information of Congress, in forming an eventual plan, those states which have already made valuations of their lands respectively, be requested to transmit to Congress the amount of such valuations, with an explanation of the principles on which they have been made."

A division was called for, and on the general question to postpone the consideration of the resolution before the house, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} <i>divided.</i>
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Holten,	no	} <i>no</i>
	Mr. Osgood,	no	
	Mr. Gorham,	no	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} *
	Mr. Wolcott,	ay	
<i>Connecticut,</i>	Mr. Dyer,	no	} <i>divided.</i>
	Mr. Floyd,	ay	
<i>New-York,</i>	Mr. Hamilton,	ay	} <i>ay</i>
	Mr. Boudinot,	no	
<i>New-Jersey,</i>	Mr. Condict,	ay	} <i>ay</i>
	Mr. Elmer,	ay	
	Mr. Fitzsimmons,	ay	
<i>Pennsylvania,</i>	Mr. Wilson,	ay	} <i>ay</i>
	Mr. Montgomery,	ay	
	Mr. Carroll,	ay	
<i>Maryland,</i>	Mr. Jones,	ay	} *
	Mr. Madison,	ay	
<i>Virginia,</i>	Mr. Bland,	no	} <i>ay</i>
	Mr. Mercer,	ay	



<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Ramsay,</i>	<i>no</i>		
	Mr. <i>Izard,</i>	<i>no</i>		
	Mr. <i>Gervais,</i>	<i>no</i>		

So the question was lost.

On the question to agree to the resolution, the yeas and nays being required by Mr. Gervais,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>White,</i>	<i>ay</i>		
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Osgood,</i>	<i>ay</i>		
	Mr. <i>Gorbam,</i>	<i>ay</i>		
	Mr. <i>Wolcott,</i>	<i>ay</i>		
<i>Connecticut,</i>	Mr. <i>Dyer,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Floyd,</i>	<i>no</i>		
<i>New-York,</i>	Mr. <i>Hamilton,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Boudinot,</i>	<i>ay</i>		
<i>New-Jersey,</i>	Mr. <i>Condict,</i>	<i>no</i>	}	<i>ay</i>
	Mr. <i>Elmer,</i>	<i>ay</i>		
	Mr. <i>Fitzsimmons,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Wilson,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Carroll,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Jones,</i>	<i>ay</i>	}	*
	Mr. <i>Madison,</i>	<i>no</i>		
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>ay</i>	}	<i>divided.</i>
	Mr. <i>Mercer,</i>	<i>no</i>		
	Mr. <i>Hawkins,</i>	<i>ay</i>		
	Mr. <i>Williamson,</i>	<i>ay</i>		
	Mr. <i>Rutledge,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Ramsay,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Gervais,</i>	<i>ay</i>	}	

So the question was lost.

FRIDAY, February 7, 1783.

On motion of Mr. Lee, seconded by Mr. Peters,

*Resolved,* That the resolution reported by the committee of the whole, which was under debate yesterday, and on which a question was taken and lost, be re-considered and re-committed.

Congress was then resolved into a committee of the whole, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee have taken into consideration the subject referred to them, but not having come to a conclusion, desire leave to sit again :

*Ordered,* That leave be granted.

SATURDAY, February 8, 1783.

Congress was resolved into a committee of the whole, and after some



time the president resumed the chair, and Mr. Carroll reported, that the committee have farther considered the subject referred to them, and made some progress, but not having come to a conclusion, desire leave to sit again :

*Ordered*, That leave be granted.

— \* —  
*MONDAY, February 10, 1783.*

The committee, consisting of Mr. Fitzsimmons, Mr. Ellsworth, Mr. Gervais, Mr. Gorham and Mr. Hamilton, to whom were referred resolutions of the general assembly of the commonwealth of Virginia, dated the 28th day of December, 1782, respecting the shipment of a quantity of tobacco, under passports granted by the secretary of Congress; report,

“ That having made the necessary enquiries, they find that Congress, by their act of the 11th of February, 1782, empowered their secretary to grant letters of passport and safe conduct for the exportation of tobacco to New-York, on the conditions and under the limitations which, to the said secretary and to the superintendant of the finances of the United States, should appear most proper and beneficial to the said states, being consistent with the capitulation of York; and provided that permissions were not given for the exportation of tobacco beyond the produce of the sales of the goods under the said capitulation: that in pursuance of this act, the superintendant of finance entered into an agreement with a certain George Eddy, agent for the merchants, capitulants aforesaid, in the first instance, for the exportation of 685 hogsheads of tobacco, for the produce of sales of goods, amounting to 24,000 dollars, under conditions highly advantageous to the United States: that a second agreement was made between the said superintendant of finance and the aforesaid George Eddy, for tobacco, to the amount of 20,000 dollars, under terms substantially the same as the former, except that the superintendant declined taking any direction of purchase of the latter, for reasons assigned to this committee: that in consequence of these agreements, the secretary of Congress forwarded to Mr. Daniel Clark, the agent appointed by the superintendant, passports for the cargoes of two ships, called the Fame and New-York, with directions to fill up the exact quantity of tobacco shipped in each, and to procure documents to shew that the quantity shipped did not amount to more than the sums stated to have arisen from sales of goods under the aforesaid capitulation, which amounted to 44,037 $\frac{1}{3}$  dollars: that it appears by the resolutions of the general assembly of Virginia, that the whole quantity of tobacco shipped under those passports, amounted to 905 hogsheads of tobacco, weighing 989,588 pounds, and that taking the aforesaid sum of 44,037 $\frac{1}{3}$  dollars, it appears there is not so much tobacco shipped as the sales would warrant, the average value for each hogshead amounting to 48 $\frac{46}{90}$  dollars. Upon the whole of this business, therefore, the committee are of opinion, that the conduct of the superintendant of finance, and of the secretary of Congress, was in all respects conformable to the resolution of this house, under which they acted.”

*Resolved*, That Congress agree to the said report.

On the report of the same committee to whom was referred a reso-



lution of the general assembly aforefaid, refpe&cting inſtructions to the commissioner appointed to ſettle the accounts of that ſtate with the United States :

*Resolved*, That the ſuperintendant of finance be directed to inſtruct the commissioner appointed to ſettle the accounts of the ſtate of Virginia, with the United States, to receive ſuch proofs as ſhall be exhibited to him inſtead of the vouchers which have been loſt or deſtroyed in conſequence of the invaſion of the ſaid ſtate ; and that he ſhall tranſmit to the ſuperintendant a ſpecial report upon all ſuch charges, which report ſhall be ſubmitted to Congreſs to be finally decided on.

Congreſs was then reſolved into a committee of the whole, and after ſome time the preſident reſumed the chair, and Mr. Carroll reported, that the committee have further conſidered the ſubject referred to them, and have come to ſundry reſolutions, which he was ordered to report, but not having come to a concluſion, they deſire leave to ſit again :

*Ordered*, That leave be granted.

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TUESDAY, February 11, 1783.

Congreſs took into conſideration the report from the committee of the whole, and ſundry amendments and additions being made thereto :

*Ordered*, That it be referred to a committee of three :

The members, Mr. Rutledge, Mr. Gorham and Mr. Gilman.

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WEDNESDAY, February 12, 1783.

Congreſs took into conſideration, a propoſition reported by the committee of the whole, in the words following : “ That it is the opinion of Congreſs that the eſtabliſhment of permanent and adequate funds on taxes or duties, which ſhall operate generally, and on the whole in juſt proportion throughout the United States, are indiſpenſably neceſſary towards doing complete juſtice to the public creditors, for reſtoring public credit and for providing for the future exigencies of the war.”

On the queſtion to agree to this propoſition, the yeas and nays being required by Mr. Wilſon,

New-Hampſhire,	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
Maſſachuſetts,	Mr. Holten,	ay	} ay
	Mr. Gorham,	ay	
Rhode-Island,	Mr. Collins,	ay	} divided.
	Mr. Arnold,	no	
Connecticut,	Mr. Wolcott,	ay	} ay
	Mr. Dyer,	ay	
New-York,	Mr. Floyd,	ay	} ay
	Mr. Hamilton,	ay	
New-Jerſey,	Mr. Boudinot,	ay	} ay
	Mr. Elmer,	ay	
	Mr. Condict,	ay	



<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	ay	} ay
	Mr. <i>Fitzsimmons,</i>	ay	
	Mr. <i>Wilson,</i>	ay	
	Mr. <i>Montgomery,</i>	ay	
	Mr. <i>Peters,</i>	ay	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	ay	} *
	Mr. <i>Jones,</i>	ay	
	Mr. <i>Madison,</i>	ay	
<i>Virginia,</i>	Mr. <i>Lee,</i>	no	} divided.
	Mr. <i>Mercer,</i>	no	
	Mr. <i>Hawkins,</i>	no	
<i>North-Carolina,</i>	Mr. <i>Williamson,</i>	ay	} divided.
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	ay	
	Mr. <i>Ramsay,</i>	ay	} ay
	Mr. <i>Izard,</i>	ay	
	Mr. <i>Gervais,</i>	no	

So it was resolved in the affirmative.

Congress was then resolved into a committee of the whole, to consider farther the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee have considered the subjects referred to them, but not having come to a conclusion, desire leave to sit again to-morrow :

*Ordered,* That leave be granted.

FRIDAY, February 14, 1783.

The committee to whom was referred the report of the committee of the whole, with the amendments and additions, brought in a report, which was taken into consideration, and the following paragraph being under debate, viz. "That the legislature of each state be, and they are hereby also required to cause the said account to be transmitted and delivered to Congress, on or before the first day of January next, together with the name of such person as the said legislature shall choose to be a commissioner for estimating the value of all the lands in each of the United States, granted to or surveyed for every person, and of the buildings and improvements thereon."

A motion was made by Mr. Lee, seconded by Mr. Gervais, to postpone the proposition under debate, in order to take up the following proposition, to wit :

"That the several states in the union be desired to make returns to Congress, on or before the first day of January, 1784, of the value of all lands within their respective jurisdictions, and of the buildings and improvements on such lands, agreeable to the 8th article of the confederation, the valuation to be made by commissioners appointed by the several states, and acting on oath ; and if either Congress or any state in which the valuation was made, shall be dissatisfied with it, the return shall undergo a revision by a court of commissioners, chosen and constituted as nearly as the case will admit, according to the 9th article of the confederation, and the sentence of such commissioners shall be final."



A division of the question was called, so that the first question may be for postponing generally : on this a question of order was moved in the words following :

When a motion is made by a member to postpone a proposition before the house, in order to take up another which he reads in his place, is it in order to call for a division of such motion ?”

On this question, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} divided.
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Gorham,	no	
<i>Rhode-Island,</i>	Mr. Collins,	no	} no
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Wolcott,	ay	} divided.
	Mr. Dyer,	no	
<i>New-York,</i>	Mr. Floyd,	no	} divided.
	Mr. Hamilton,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Elmer,	ay	
	Mr. Conduct,	no	
	Mr. Mifflin,	no	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	} no
	Mr. Montgomery,	no	
	Mr. Carroll,	ay	
<i>Maryland,</i>	Mr. Jones,	no	} *
<i>Virginia,</i>	Mr. Madison,	ay	
<i>North-Carolina,</i>	Mr. Bland,	no	} no
	Mr. Lee,	no	
	Mr. Mercer,	no	
	Mr. Hawkins,	ay	
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Rutledge,	no	} no
	Mr. Ramsay,	no	
	Mr. Izard,	no	
	Mr. Gervais,	no	

So it passed in the negative.

On the question to agree to Mr. Lee's motion, the yeas and nays being required by Mr. Lee,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} divided.
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Gorham,	no	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} ay
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Wolcott,	no	} no
	Mr. Dyer,	no	
<i>New-York,</i>	Mr. Floyd,	no	} no
	Mr. Hamilton,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} no
	Mr. Elmer,	no	
	Mr. Conduct,	no	



<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Fitzsimmons,</i>	<i>ay</i>		
	Mr. <i>Wilson,</i>	<i>no</i>		
	Mr. <i>Montgomery,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>no</i>	}	*
	Mr. <i>Jones,</i>	<i>no</i>		
	Mr. <i>Madison,</i>	<i>no</i>		
	Mr. <i>Bland,</i>	<i>no</i>		
<i>Virginia,</i>	Mr. <i>Lee,</i>	<i>ay</i>	}	<i>no</i>
	Mr. <i>Mercer,</i>	<i>no</i>		
	Mr. <i>Hawkins,</i>	<i>ay</i>		
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Ramsay,</i>	<i>no</i>		
	Mr. <i>Izard,</i>	<i>no</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>		
<i>South-Carolina,</i>			}	<i>ay</i>

So it passed in the negative.

MONDAY, February 17, 1783.

Congress resumed the consideration of the report of the committee on the report of the committee of the whole, and the proceedings of the house consequent thereto ; and the same being debated by paragraphs to read as follows :

“ Whereas by the articles of confederation and perpetual union, it is agreed and declared that all charges of war and all other expenses for the common defence or general welfare, allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint :

*Resolved,* That the legislature of each state be, and they are hereby required to take such measures as shall be most effectual for obtaining a just and accurate account of the quantity of land in such state; granted to or surveyed for any person, the number of buildings thereon, distinguishing dwelling houses from other buildings, and the number of its inhabitants, distinguishing white from black : that the legislature of each state be, and they are hereby also required to cause the said account to be transmitted and delivered to Congress on or before the 1st day of January next, together with the name of such person as the said legislature shall choose to be a commissioner for estimating the value of all the lands in each of the United States, granted to or surveyed for any person, and of the buildings and improvements thereon : that Congress will, on the 2d day of January next, nominate by ballot, a commissioner for every state which shall fail to nominate one, or whose commissioner shall not attend Congress on the said 1st day of January : that a commission shall thereupon be issued by Congress to the persons so nominated, authorizing and empowering them, or any nine of them, concurring in opinion, to make a just and true estimate of the value of all the lands in each of the United States, granted to



or surveyed for any person, and of the buildings and improvements thereon; and to return such estimate to Congress, to be subject to their examination and approbation: that the said estimate, when approved by Congress, shall be a rule for adjusting all accounts between the United States and the individual states; that is, that each state shall be debited for its just quota or proportion, on the principle aforesaid, of the money theretofore advanced or paid, and of the amount in value of the supplies furnished by all the states for the service of the United States, and credited for the money advanced, and the amount in value of the supplies furnished by such state for the service of the United States: that the said estimate shall operate for a term not exceeding five years, as a rule for apportioning on the several states the sums which Congress shall, from time to time, deem necessary and requisite to be raised for supporting the public credit and contingent expenses; and that the money which shall be paid, from time to time, by any state into the continental treasury, on account of such quota or apportionment, be duly passed to the credit of such state, on the said account.

On the question to agree to this, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Gorham,	ay	
<i>Rhode-Island,</i>	Mr. Collins,	no	} divided.
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Wolcott,	no	} divided.
	Mr. Dyer,	ay	
<i>New-York,</i>	Mr. Floyd,	no	} no
	Mr. Hamilton,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	no	} no
	Mr. Elmer,	ay	
	Mr. Condict,	no	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Maryland,</i>	Mr. Carroll,	no	} *
	Mr. Jones,	ay	
<i>Virginia,</i>	Mr. Madison,	no	} ay
	Mr. Bland,	ay	
<i>North-Carolina,</i>	Mr. Lee,	no	} ay
	Mr. Mercer,	ay	
	Mr. Hawkins,	ay	
	Mr. Williamson,	ay	
	Mr. Rutledge,	ay	
<i>South-Carolina,</i>	Mr. Izard,	ay	} ay
	Mr. Gervais,	ay	

So the question was lost.

A motion was then made by Mr. Dyer, seconded by Mr. Mercer, in the words following:



"Whereas by the 8th article of the confederation and perpetual union, it is agreed and declared, that all charges of war and all other expenses, for the common defence or general welfare, allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within each state, granted to or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint.

*Resolved*, That the legislature of each state be, and they are hereby required, to take such measures as shall appear to them most effectual for obtaining a just and accurate account of the quantity of land in such state, granted to or surveyed for any person, the number of buildings thereon, distinguishing dwelling houses from other buildings, and the number of its inhabitants, distinguishing white from black. That the legislature of each state be, and they are hereby also required to cause the said account to be transmitted and delivered to Congress, on or before the first day of March, 1784, and that Congress will, on the second day of March, 1784, or at their next sitting thereafter, appoint a grand committee, consisting of a member present from each state, to take into their consideration the said returns, any nine of whom concurring shall make a just and true estimate of the value of all the lands in each of the United States, granted to or surveyed for any person, and of the buildings and improvements thereon, and shall report such estimate to Congress, to be subject only to their approbation or rejection. That the said estimate, when approved by Congress, shall be a rule for adjusting all accounts between the United States, and the individual states, that is, each state shall be debited for its just quota or proportion, on the principle aforesaid, of the money theretofore advanced or paid, and of the amount in value of the supplies furnished by all the states for the service of the United States, and credited for the money advanced and the amount in value of the supplies furnished by such state, for the service of the United States. That the said estimate shall operate for a term, not exceeding five years, as a rule for apportioning on the several states the sums which Congress shall, from time to time, deem necessary, and require to be raised for supporting the public credit and contingent expenses, and that the money which shall be paid, from time to time, by any state into the continental treasury, on account of such quota or apportionment, shall be duly passed to the credit of such state on the said account."

On the question to agree to the said motion, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Gorham,	ay	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} ay
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Wolcott,	ay	} ay
	Mr. Dyer,	ay	



<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Hamilton,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Elmer,</i>	<i>ay</i>		
	Mr. <i>Condict,</i>	<i>ay</i>		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Montgomery,</i>	<i>ay</i>		
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>no</i>	}	*
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>		
	Mr. <i>Madison,</i>	<i>no</i>	}	<i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i>		
	Mr. <i>Lee,</i>	<i>no</i>		
	Mr. <i>Mercer,</i>	<i>ay</i>	}	<i>ay</i>
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>		
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>		

So it was resolved in the affirmative.

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*TUESDAY, February 18, 1783.*

Congress was resolved into a committee of the whole, to consider farther the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee have taken into their further consideration the subject referred to them, and have come to sundry resolutions which he was directed to report, but that not having come to a conclusion, desire leave to sit again:

*Ordered,* That leave be granted.

On motion of Mr. Bland, seconded by Mr. Hamilton:

*Ordered,* That the superintendant of finance lay before Congress an estimate of the principle of the public debt to the first day of January, 1783, specifying the foreign debt, the pay due to the army, the debt due on loan-office certificates, the debt due on liquidated accounts for which certificates are issued, and also the supposed amount of the unliquidated debt.

On motion of the delegates from Connecticut, in pursuance of an instruction from the legislature of their state:

*Ordered,* That the superintendant of the finances, agent of marine, the secretary at war, and the secretary for foreign affairs, as it shall relate to their respective offices, lay before Congress an account of the names and titles of all officers and others employed in the civil list department, and in the civil and military staff; and also, of all ministers however denominated, which are employed abroad, under the authority of the United States, specifying in what state or kingdom such officers reside, and also, what pay or salary is annexed to each of their respective offices, and likewise an account of all grants of half-pay and of any gratuity or sum of money or allowance for ex-



penfes, or for any other matter to any officers or others, for past services, which are not included in their pay establishment.

\*  
THURSDAY, February 20, 1783.

Congress took into consideration the report of the committee of the whole; and having spent some time thereon,

The house was again resolved into a committee of the whole, to consider farther the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee have considered farther the subject referred to them, but not having come to a conclusion, desire leave to sit again:

*Ordered*, That leave be granted.

The assistant secretary at war having reported to Congress the result of his enquiry, respecting the goods imported in the ship Amazon, for the use of British and German prisoners of war, accompanied with a report of the commissioners appointed pursuant to the resolutions of the 24th of January last:

*Resolved*, That it does not appear to Congress that any abuse has been made of the passport granted by the commander in chief, for the protection of clothing and other necessaries sent from New-York in the ship Amazon, for the use of the British and German prisoners of war.

*Resolved*, That the goods imported in the said ship Amazon, and contained in the returns laid before Congress by the assistant secretary at war, are fully covered and protected by the said passport, and ought to be sent with all expedition, and without any let or hindrance, to the prisoners for whose use they were designed.

FRIDAY, February 21, 1783.

On motion of Mr. Rutledge, seconded by Mr. Williamson,

*Resolved*, That it be recommended to the states of Delaware, Maryland and Georgia, to send delegates immediately to Congress, and to each state in the union, to keep up a constant representation.

On a report from the war-office, on a motion of Mr. Gilman referred, Congress came to the following resolution:

Whereas sundry officers in the army of the United States, have been taken from the line to act in the departments of the general staff, and are entitled to additional pay in consequence thereof:

*Resolved*, That it be, and hereby is recommended to the several states, to whom such officers respectively belong, to adjust and discharge, on account of the United States, the deficiencies on the additional pay, to which they are entitled by the resolutions of Congress, in the same manner, and to the same time they settle their accounts as officers in the line.

Congress was resolved into a committee of the whole, to consider further the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, and after some time the president resumed the chair, and Mr. Carroll reported, that the committee have taken into consi-



deration the subject referred to them, and are of opinion, that the committee of the whole be discharged, and the business referred to a special committee :

*Resolved*, That Congress agree to the said report.

*Ordered*, That the committee consist of five.

On motion of Mr. Ramsay, seconded by Mr. Izard :

Whereas the passport granted by the commander in chief to the ship Amazon, extended only to Wilmington, in the state of Delaware, and the said ship being appointed to carry home fundry citizens of South-Carolina now in Philadelphia, who were exiled from Charlestown :

*Resolved*, That the agent of marine be, and he is hereby authorized and directed, to give a passport and safe conduct to the said ship Amazon, to proceed from Wilmington to Philadelphia, there to take on board the said exiled citizens, with their servants and effects, and to proceed with them to Charlestown, or any other port in the state of South-Carolina.

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TUESDAY, February 25, 1783.

Mr. William Hemfley, a delegate for the state of Maryland, attended, and produced his credentials, by which it appears, that he is chosen a delegate to Congress for that state for the present year.

The committee, consisting of Mr. Osgood, Mr. Fitzsimmons, Mr. Gervais, Mr. Hamilton and Mr. Wilson, to whom were referred two paragraphs of the report of the grand committee, on a memorial from the officers of the army, having reported,

“ That such officers as are now in service, and continue therein to the end of the war, shall be entitled to receive the sum of        years full pay, in money or securities on interest at six per cent. per annum, instead of the half-pay promised for life, by the resolution of the 21st of October, 1780, provided that it be at the option of the lines of the respective states, and not of officers individually in those lines to accept or refuse the same : that all officers who have retired from service upon a promise of half-pay for life, shall be entitled to the benefits of the above resolution ; provided also, that those of the line of each state, collectively, agree thereto : that the same commutation shall extend to the corps not belonging to the lines of particular states, the acceptance or refusal to be determined by corps : that all officers entitled to half-pay for life, not included in the above resolutions, may collectively agree to accept or refuse the commutation : that with respect to the general officers, it shall be at their option, individually, to accept the commutation, or retain their right to the half-pay : that the half-pay for life extend to the widows of such officers as shall die in the service, during their continuance as widows.”

When this report was under debate, a motion was made by Mr. Gilman, seconded by Mr. Condict, that the consideration of the report be postponed, in order to take into consideration the following motion :

“ Whereas in consequence of the faithful services of the officers in the army of the United States, and of their great sufferings, not only on account of the deficiency of their pay, but on other accounts, Congress have, by divers resolutions, promised them half-pay for life ; and



it being represented that it would be more agreeable to some of the states and the officers thereto belonging, that a commutation of the said half-pay should now be made, resolved that it be, and hereby is recommended to the several states to settle with the officers who now belong or heretofore have belonged to their respective lines, and are entitled to half-pay by the resolutions of Congress, either by giving them security for the payment of the same as it may become due, or by commutation for such sum, in gross, as may be mutually agreed on by each state, and the officers to them respectively belonging: that each and every state, which shall make compensation to their officers, agreeably to the foregoing resolution, shall be exonerated and fully and finally discharged from their respective proportions of all taxes and all other payments of monies whatsoever, on account of half-pay to the officers belonging to the United States or any of them; provided always, that nothing in this resolution shall extend to discharge any state from paying their just proportion of the half-pay which may be due to such officers as have not heretofore or do not now belong to the line of any particular state, or to the officers belonging to any particular state, which may by the events of the war be rendered unable to make such compensation: that the secretary at war be directed to report to Congress the names and rank of all such officers as are entitled to half-pay, and not included in the first of the foregoing resolutions."

On the question for postponing the report, in order to take up the above recited motion, the yeas and nays being required by Mr. Condict,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	*
<i>Rhode-Island,</i>	Mr. Collins,	ay		
<i>Connecticut,</i>	Mr. Wolcott,	ay	}	ay
	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Floyd,	no	}	no
	Mr. Hamilton,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	divided.
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Montgomery,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. Hemsley,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	ay	}	no
<i>North-Carolina,</i>	Mr. Hawkins,	no		
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Ramsay,	no		
	Mr. Izard,	no		
	Mr. Gervais,	no	}	no

So it passed in the negative.



*Ordered*, That the farther consideration of the report be postponed till to-morrow.

On motion of Mr. Lee, seconded by Mr. Holten,

*Ordered*, That the secretary at war lay before Congress monthly returns of the officers and men who were actually in service and pay of the United States during the year 1782.

— — — — —  
*WEDNESDAY, February 26, 1783.*

On motion of Mr. Madison, seconded by Mr. Mercer:

*Resolved*, That it be recommended to the executives of the several states, whenever any outrages unauthorized by the laws of war, shall be committed on the persons or properties of their respective citizens, by any persons in the service of the enemy, to transmit immediate information thereof to the commander in chief or the commanding-officer of a separate army, in order that the measures may be pursued which are pointed out in the resolution of the 8th day of Nov. 1782.

Congress resumed the consideration of the report of the committee, which was under debate yesterday, when a motion was made by Mr. Hamilton, seconded Mr. Peters, that the blank in the report be filled with the words "five and a half:"

And on the question to agree to this, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	divided.
	Mr. Gorham,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
<i>Connecticut,</i>	Mr. Wolcott,	no		
	Mr. Dyer,	no	}	no
<i>New-York,</i>	Mr. Floyd,	ay		
	Mr. Hamilton,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Condict,	no	}	divided.
<i>Pennsylvania,</i>	Mr. Mifflin,	ay		
	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. Hemsley	ay	}	ay
<i>Virginia,</i>	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
	Mr. Lee,	ay		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So the question was lost.



A motion was then made by Mr. Gorham, seconded by Mr. Bland, that the blank be filed with the word "five :"

And on the question to agree to this motion, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	*
	Mr. Wolcott,	no		
<i>Connecticut,</i>	Mr. Dyer,	no	}	no
	Mr. Floyd,	ay		
<i>New-York,</i>	Mr. Hamilton,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Condict,	no	}	divided.
	Mr. Mifflin,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
<i>Maryland,</i>	Mr. Peters,	ay	}	ay
	Mr. Carroll,	ay		
<i>Virginia,</i>	Mr. Hemsley,	ay	}	ay
	Mr. Jones,	ay		
<i>North-Carolina,</i>	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
<i>South-Carolina,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	no		
<i>South-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Gervais,	ay		

So it was resolved in the affirmative.

*Ordered,* That the farther consideration of the report be postponed.

A letter, of this day, from the superintendant of finance, was read, stating that a number of those who contracted engagements with him, place a personal reliance on him for the fulfilment of them : that as the time approaches fast when he will quit the office, namely, the last of May, as mentioned in his letter of the 24th of January, he thinks it necessary to convey this information to those who have confided in him, and therefore praying that the injunction of secrecy on his letter of the 24th of January, may be taken off :

*Ordered,* That the injunction of secrecy, aforesaid, be annulled, and that the letters be referred to a committee.

THURSDAY, February 27, 1783.

Mr. Stephen Higginson, a delegate for the state of Massachusetts, attended, and produced the credentials of his appointment, by which it appears, that on the 24th of October, 1782, he was by joint ballot of the senate and house of representatives, elected a delegate to repre-



sent that commonwealth in the United States in Congress assembled, for one year, commencing the first Monday of November, 1782.

On a report of a grand committee, consisting of a member from each state, to whom was referred a petition of John Hall :

*Resolved*, That all those for the settlement of whose accounts no special provision hath heretofore been made, either by references to the states, or by the appointment of commissioners for states or departments, or otherwise, do settle their accounts at the treasury in the usual manner ; and that any balances which may be found due to them, previous to the first day of January, 1782, be placed on interest in common with other debts due by the United States.

FRIDAY, February 28, 1783.

Congress resumed the consideration of the report of the committee, which was under debate on the 25th and 26th instant ; and on the question to agree to the first part thereof, as amended, relative to officers now in service, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire</i> ,	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts</i> ,	Mr. Holten,	ay	}	ay
	Mr. Gorham,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island</i> ,	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut</i> ,	Mr. Wolcott,	ay	}	divided.
	Mr. Dyer,	no		
<i>New-York</i> ,	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey</i> ,	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania</i> ,	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Maryland</i> ,	Mr. Carroll,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia</i> ,	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
	Mr. Bland,	ay		
	Mr. Lee,	no		
<i>North-Carolina</i> ,	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina</i> ,	Mr. Rutledge,	ay	}	ay
	Mr. Ramsay,	ay		
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

There being only seven states in the affirmative, a question was moved by Mr. Bland, seconded by Mr. Madison,

“ Is the proposition on which the question was just taken, for allow-



ing a composition for half-pay, a proposition which requires the assent of nine states?"

And on this question, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} ay
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
	Mr. Gorham,	ay	
	Mr. Higginson,	ay	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} ay
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Wolcott,	ay	} divided.
	Mr. Dyer,	no	
<i>New-York,</i>	Mr. Floyd,	ay	} ay
	Mr. Hamilton,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Condict,	ay	
	Mr. Mifflin,	ay	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
	Mr. Carroll,	ay	
<i>Maryland,</i>	Mr. Hemsley,	ay	} ay
	Mr. Jones,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Bland,	ay	
	Mr. Lee,	ay	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Rutledge,	ay	} ay
	Mr. Ramsay,	ay	
	Mr. Izard,	ay	
	Mr. Gervais,	ay	

So it was resolved in the affirmative; and consequently the foregoing question was lost.

The committee, consisting of Mr. Williamson, Mr. Dyer and Mr. Condict, to whom was referred a letter of the 18th from the secretary for foreign affairs, made a report, whereupon,

*Resolved,* That all letters to and from the heads of departments, on public service are free, and ought not to be detained for want of the words on public service, endorsed.

MONDAY, March 3, 1783.

Mr. Thomas Sim Lee, a delegate for Maryland, attended, produced the credentials of his appointment for the current year, and took his seat in Congress.

On the report of the secretary at war, to whom was referred a memorial of colonel Shreve, late of the New-Jersey line:



*Resolved*, That the pay-master, in adjusting the accounts of colonel Shreve, late of the New-Jersey line, be directed to continue his allowance of pay to the 31st of January, 1781.

On the report of the secretary at war, to whom was referred a memorial of captain Sumner :

*Ordered*, That the secretary at war issue to captain Sumner, the commission of major, bearing date on the 1st day of October, 1782.

The committee, consisting of Mr. Rutledge, Mr. Madison and Mr. Peters, appointed in pursuance of a conference with a committee of the general assembly of the state of Pennsylvania, to report an ordinance for amending the ordinance of the 5th of April, 1781, for establishing courts for the trial of piracies and felonies committed on the high seas, reported the draught of an ordinance, which was read a first and second time :

*Ordered*, That to-morrow be assigned for the third reading.

— \* —

*TUESDAY, March 4, 1783.*

A motion was made by Mr. Hamilton, seconded by Mr. Floyd :

“Whereas in the opinion of Congress, it is essential to those principles of justice and liberality, which ought to govern the intercourse between these states, that in the final adjustment of accounts for the supplies or contributions of the states respectively, towards the common expenses in the course of the war, equitable allowances should be made in favour of those states, parts of which have been at different periods in possession of the enemy : and whereas the strict application of the rule prescribed by the 8th article of the confederation, as declared by the resolution of the 17th of February, would operate greatly to the prejudice of such states and to the calamities of war, add an undue proportion of the public burthen.

*Resolved*, That Congress will, in the application of the said rule, make such abatements in favour of the said states, as from a full consideration of circumstances shall appear to them just and equitable, for the time the said parts of the said states may have been in possession of the enemy.”

A motion was made by Mr. Clark, seconded by Mr. White, that the consideration of the foregoing motion be postponed :

And on the question for postponing, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
	Mr. Gorham,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	*
<i>Connecticut,</i>	Mr. Wolcott,	ay		
	Mr. Dyer,	no	}	divided.
<i>New-York,</i>	Mr. Floyd,	no		
	Mr. Hamilton,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay
	Mr. Conduct,	ay		



<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Fitzsimmons,</i>	<i>no</i>	
	Mr. <i>Montgomery,</i>	<i>ay</i>	
	Mr. <i>Peters,</i>	<i>no</i>	
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Carroll,</i>	<i>ay</i>	
	Mr. <i>Hemsley,</i>	<i>ay</i>	
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Madison,</i>	<i>ay</i>	
	Mr. <i>Bland,</i>	<i>ay</i>	
	Mr. <i>A. Lee,</i>	<i>ay</i>	
	Mr. <i>Mercer,</i>	<i>ay</i>	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>	
	Mr. <i>Gervais,</i>	<i>no</i>	

So the question was lost.

On the question to agree to the first motion, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>White,</i>	<i>no</i>	
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Osgood,</i>	<i>no</i>	
	Mr. <i>Gorham,</i>	<i>no</i>	
	Mr. <i>Higginson,</i>	<i>no</i>	
	Mr. <i>Collins,</i>	<i>ay</i>	
<i>Rhode-Island,</i>	Mr. <i>Wolcott,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Dyer,</i>	<i>no</i>	
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Hamilton,</i>	<i>ay</i>	
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Clark,</i>	<i>no</i>	
	Mr. <i>Condict,</i>	<i>no</i>	
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>no</i>	} <i>divided.</i>
	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	
	Mr. <i>Montgomery,</i>	<i>no</i>	
	Mr. <i>Peters,</i>	<i>ay</i>	
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Carroll,</i>	<i>no</i>	
	Mr. <i>Hemsley,</i>	<i>no</i>	
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Madison,</i>	<i>no</i>	
	Mr. <i>Bland,</i>	<i>no</i>	
	Mr. <i>Lee,</i>	<i>no</i>	
	Mr. <i>Mercer,</i>	<i>no</i>	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>	
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>	
	Mr. <i>Gervais,</i>	<i>no</i>	



So it passed in the negative.

According to order, the ordinance was read a third time, and passed as follows :

An ordinance to amend an ordinance, entitled “ an ordinance for establishing courts for the trial of piracies and felonies committed on the high seas.”

Be it ordained by the United States in Congress assembled, and by the authority of the same, that the justices of the supreme or superior court of judicature, and the judge of the admiralty, or any two or more of them, including the judge of the admiralty in the several and respective states ; or in case there shall be several judges of the admiralty in a state, the justices of the supreme or superior court of judicature, and a judge of the admiralty, to be commissioned for that purpose by the executive power of such state, or any two of them, including a judge of the admiralty, are hereby constituted and appointed a court for hearing and trying all offenders who, in and by an ordinance entitled “ an ordinance for establishing courts for the trial of piracies and felonies committed on the high seas,” passed the 5th day of April, 1781, are triable before the justices of the supreme or superior court of judicature and judge of the court of admiralty of the several and respective states, or any two or more of them ; provided that nothing herein contained shall extend to prosecutions already commenced, which shall be determined in the same manner as if this ordinance had never been made.

Done, &c.

WEDNESDAY, March 5, 1783.

The committee, consisting of Mr. Rutledge, Mr. Gorham and Mr. Wolcott, to whom were referred the letters of the 24th of January and 26th of February last, from the superintendant of finance, having reported, “ that it does not appear to the committee to be necessary that Congress should take any immediate measures respecting the office of finance.”

A motion was made by Mr. Bland, seconded by Mr. A. Lee, that the report of the committee be postponed, in order to take into consideration the following motion :

“ That a committee be appointed to devise the most proper means of arranging the department of finance.”

A motion was made by Mr. Rutledge, seconded by Mr. Holten, “ that the report and motion be committed :”

And on the question for commitment, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	ay		
	Mr. Osgood,	ay	}	ay
	Mr. Gorham,	no		
	Mr. Higginson,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Collins,	ay		
	Mr. Arnold,	ay	}	divided.
<i>Connecticut,</i>	Mr. Wolcott,	no		
	Mr. Dyer,	ay	}	
	P			



<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Hamilton,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	<i>ay</i>
	Mr. <i>Clark,</i>	<i>ay</i>		
	Mr. <i>Condict,</i>	<i>ay</i>	}	
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>ay</i>		
	Mr. <i>Fitzsimmons,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Wilson,</i>	<i>no</i>		
	Mr. <i>Montgomery,</i>	<i>no</i>	}	
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>ay</i>	}	<i>no</i>
	Mr. <i>Carroll,</i>	<i>no</i>		
	Mr. <i>Hemsley,</i>	<i>no</i>	}	
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>no</i>		
	Mr. <i>Madison,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Bland,</i>	<i>ay</i>		
	Mr. <i>A. Lee,</i>	<i>ay</i>	}	
	Mr. <i>Mercer,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>divided.</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>	}	

So the question was lost.

On the question to agree to the motion of Mr. Bland, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. <i>Gilman,</i>	<i>ay</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>		
	Mr. <i>Osgood,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>Gorham,</i>	<i>no</i>		
	Mr. <i>Higginson,</i>	<i>ay</i>	}	<i>divided.</i>
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>no</i>		
	Mr. <i>Arnold,</i>	<i>ay</i>	}	<i>divided.</i>
<i>Connecticut,</i>	Mr. <i>Wolcott,</i>	<i>no</i>		
	Mr. <i>Dyer,</i>	<i>ay</i>	}	<i>no</i>
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>no</i>		
	Mr. <i>Hamilton,</i>	<i>no</i>	}	<i>no</i>
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>		
	Mr. <i>Clark,</i>	<i>no</i>	}	
	Mr. <i>Condict,</i>	<i>ay</i>		
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>ay</i>	}	<i>no</i>
	Mr. <i>Fitzsimmons,</i>	<i>no</i>		
	Mr. <i>Wilson,</i>	<i>no</i>	}	
	Mr. <i>Montgomery,</i>	<i>no</i>		
	Mr. <i>Peters,</i>	<i>no</i>	}	<i>no</i>
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>ay</i>		
	Mr. <i>Carroll,</i>	<i>no</i>	}	
	Mr. <i>Hemsley,</i>	<i>no</i>		



<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	ay		
	Mr. A. Lee,	ay		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	divided.
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	ay
	Mr. Izard,	ay		
	Mr. Gervais,	ay		

So the question was lost.

A motion was then made by Mr. Williamson, seconded by Mr. Gilman,

“ That the report of the committee be postponed, in order to take into consideration the following motion :

That a committee be appointed to devise the most proper steps to be taken in consequence of the letters of the 24th of January and 6th of February, from the superintendant of finance :

And on the question to agree to this, the yeas and nays being required by Mr. Gilman,

<i>New-Hampshire,</i> <i>Massachusetts,</i>	Mr. Gilman,	ay	}	ay
	Mr. Holten,	ay		
	Mr. Osgood,	ay		
	Mr. Gorham,	no		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	divided.
	Mr. Arnold,	ay		
<i>Connecticut,</i>	Mr. Wolcott,	ay	}	ay
	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Maryland,</i>	Mr. Peters,	ay	}	ay
	Mr. T. S. Lee,	ay		
	Mr. Carroll,	ay		
<i>Virginia,</i>	Mr. Hemsley,	ay	}	ay
	Mr. Jones,	ay		
	Mr. Madison,	ay		
	Mr. Bland,	ay		
	Mr. A. Lee,	ay		
<i>North-Carolina,</i>	Mr. Mercer,	ay	}	ay
	Mr. Hawkins,	ay		
	Mr. Williamson,	ay		



<i>South-Carolina,</i>	Mr. Rutledge,	ay	} ay
	Mr. Izard,	ay	
	Mr. Gervais,	ay	

So it was resolved in the affirmative.

On the question,

*Resolved,* That a committee of five be appointed to devise the most proper steps to be taken in consequence of the letters of the 24th of January and 26th of February, from the superintendant of finance.

---

THURSDAY, March 6, 1783.

On the report of a committee, consisting of Mr. Holten, Mr. Peters and Mr. Collins, to whom was referred a letter of the 21st of February from the superintendant of finance, on the case of col. Gridley:

*Ordered,* That the letter from the superintendant of finance, respecting the half-pay due to colonel Gridley, with its enclosures, be referred back to the superintendant of finance, and that he be directed to take order therein, having regard in settlement with colonel Gridley, to any grants made to him by the state of Massachusetts, on account of his half-pay, the same being founded on a special contract made with colonel Gridley at the time he relinquished his half-pay in the British army, to enter into the service of the United States.

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FRIDAY, March 7, 1783.

On the report of a committee, consisting of Mr. Rutledge, Mr. Gorham and Mr. Fitzsimmons, to whom was referred a letter of the 14th of October last from Dr. Franklin, so far as it relates to the mode of paying the salaries of the ministers and other officers of the United States in Europe:

*Resolved,* That the salaries of the ministers and other officers of the United States in Europe, be estimated in future in dollars, at the rate of four shillings and six-pence sterling per dollar:

That they be paid in bills of exchange upon France or Holland, at the rate of five livres, five sous tournois per dollar, without regard to the variations which may be occasioned by the course of exchange:

That these resolutions retrospect to the first day of January, 1782, when the salaries of the said officers were made payable in America; and that the excess beyond the said net sum in bills of exchange, which has accrued or which shall accrue upon the quarter due on the first of January last, be carried to the credit of the United States, and accounted for by the secretary for foreign affairs, in the adjustment of the accounts of his department on the first day of April next.

On motion of Mr. Dyer, seconded by Mr. Wolcott,

*Ordered,* That the report of the committee to whom were referred two paragraphs of the report of the grand committee on a memorial from the officers of the army, be committed.

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MONDAY, March 10, 1783.

Mr. Eleazer M'Comb and Mr. Gunning Bedford, two delegates for the state of Delaware, attended, and produced the credentials of their appointment, by which it appears, that on the 1st day of Feb. 1783, the hon. Cæsar Rodney, James Tilton, Eleazer M'Comb and Gunning



Bedford, Esqrs; were elected delegates to represent the said state in the Congress of the United States of America.

The committee, consisting of Mr. Carroll, Mr. Dyer and Mr. Mifflin, to whom was referred the report of the committee on two paragraphs of a report of the grand committee, brought in a report; and the report of the committee being taken into consideration and amended so as to read as follows:

“ That such officers as are now in service, and continue therein to the end of the war, shall be entitled to receive the sum of five years full pay in money, or securities on interest at six per cent. per annum, at the option of Congress, instead of the half-pay promised for life by the resolution of the 21st of October, 1780: the said securities to be such as shall be given to the other creditors of the United States; provided that it be at the option of the lines of the respective states, and not of officers individually in those lines, to accept or refuse the same: that all officers who have retired from service upon the promise of half-pay for life, shall be entitled to the benefits of the above resolution; provided that those of the line of each state, collectively agree thereto: that the same commutation shall extend to the corps not belonging to the lines of particular states, the acceptance or refusal to be determined by corps: that all officers entitled to half-pay for life, not included in the above resolution, may collectively agree to accept or refuse the commutation.”

On the question to agree to the report, thus amended, the yeas and nays being required by Mr. Mercer,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
	Mr. Gorham,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Wolcott,	ay	}	divided.
	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. Peters,	ay	}	ay
	Mr. M'Comb,	ay		
	Mr. Bedford,	ay		
<i>Maryland,</i>	Mr. T. S. Lee,	ay	}	ay
	Mr. Carroll,	ay		
	Mr. Hemsley,	ay	}	



<i>Virginia,</i>	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
	Mr. Bland,	ay	
	Mr. A. Lee,	ay	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Rutledge,	ay	} ay
	Mr. Ramsay,	ay	
	Mr. Izard,	ay	

So the question was lost.

— \* —

*TUESDAY, March 18, 1783.*

On the report of a committee, consisting of Mr. Gilman, Mr. Dyer, Mr. Clark, Mr. Rutledge and Mr. Mercer, to whom was referred a letter of the 12th, from the commander in chief :

*Ordered,* That the superintendant of finance lay before Congress an account of the payments made to the army, in consequence of the resolution of the 25th day of January last, and what sums the state of the public finances will enable him to pay to the army at present ; and also that he communicate to Congress what steps have been taken towards settling the accounts of the army since the said resolution.

The committee, consisting of Mr. Gorham, Mr. Collins and Mr. Fitzsimmons, to whom was referred a memorial of the inhabitants of Nantucket, reported the draught of an ordinance, which was read a first time :

*Ordered,* That it be read a second time to-morrow.

The committee, consisting of Mr. Gorham, Mr. Hamilton, Mr. Madison, Mr. Fitzsimmons and Mr. Rutledge, appointed to consider the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, having brought in a report ; and the same being under consideration.

A motion was made by Mr. Wilson, seconded by Mr. Hamilton, to add thereto as follows : “ also a tax of one quarter of a dollar per 100 acres on all located and surveyed land within each of the states : ”

And on the question to agree to the motion, the yeas and nays being required by Mr. Wilson,

<i>New-Hampshire,</i>	Mr. Gilman,	no	} no
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Osgood,	ay	
	Mr. Higginson,	no	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} divided.
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Wolcott,	no	} divided.
	Mr. Dyer,	ay	
<i>New-York,</i>	Mr. Floyd,	ay	} ay
	Mr. Hamilton,	ay	



<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	no	
	Mr. Conduct,	ay	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
<i>Delaware,</i>	Mr. M'Comb,	ay	} ay
	Mr. Bedford,	ay	
<i>Maryland,</i>	Mr. T. S. Lee,	no	} no
	Mr. Hemsley	no	
<i>Virginia,</i>	Mr. Jones,	no	} no
	Mr. Madison,	no	
	Mr. Bland,	no	
	Mr. A. Lee,	no	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} no
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Rutledge,	no	} no
	Mr. Izard,	no	
	Mr. Gervais,	no	

So it passed in the negative.

WEDNESDAY, March 19, 1783.

According to the order of the day, the ordinance on the memorial of the inhabitants of Nantucket, was read a second time :

Ordered, That to-morrow be assigned for the third reading.

THURSDAY, March 20, 1783.

On the third reading of the ordinance on the memorial of the inhabitants of Nantucket :

Ordered, That it be re-committed

The report of the committee, appointed to consider the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, being under debate, and being in the words following, to wit :

“ Resolved, That it be recommended to the several states, as indispensably necessary to the restoration of public credit, and to the punctual and honorable discharge of the public debts, to invest in the United States in Congress assembled, a power to levy for the use of the United States, the following duties upon goods imported into the said states from any foreign port, island or plantation :

Upon all rum of Jamaica proof per gallon,	-	-	4
Upon all other spirituous liquors,	-	-	90
Upon Madeira wine,	-	-	3
Upon wines of Lisbon, Oporto, those called sherry, and upon	-	-	90
all French wines,	-	-	12
Upon wines called Malaga or Teneriffe,	-	-	90
Upon all other wines,	-	-	6
Upon common bohea tea per pound,	-	-	90
Upon all other teas,	-	-	5
Upon pepper per pound,	-	-	90
			4
			90
			3
			90
			24
			90
			3
			90



Upon brown sugar per pound,	-	-	11-90
Upon loaf sugar per pound,	-	-	$\frac{2}{90}$
Upon all other sugars,	-	-	$\frac{1}{90}$
Upon molasses per gallon,	-	-	$\frac{1}{90}$
Upon cocoa and coffee per pound,	-	-	$\frac{1}{90}$
Upon salt, after the present war, $\frac{1}{8}$ th of a dollar per bushel.	-	-	$\frac{1}{90}$

And upon all other goods, except arms, ammunition and clothing, or other articles imported for the United States, a duty of five per cent. *ad valorem*; provided that there be allowed a bounty of  $\frac{1}{8}$ th of a dollar for every quintal of dried fish exported out of these United States, and a like sum for every barrel of pickled fish, beef or pork, to be paid or allowed to the exporters thereof, at the ports from which they shall be so exported:

Provided, that none of the said duties shall be applied to any other purpose than the discharge of the interest or principal of the debts which shall have been contracted on the faith of the United States, for supporting the present war, nor be continued for a longer term than 25 years: and provided, that the collectors of the said duties shall be appointed by the states, within which their offices are to be respectively exercised, but when so appointed, shall be amenable to, and removeable by the United States in Congress assembled, alone, and in case any state shall not make such appointment within after notice given for that purpose, the appointment may then be made by the United States in Congress assembled:

That it be further recommended to the several states, to establish for a like term, not exceeding 25 years, and to appropriate to the discharge of the interest and principal of the debts which shall have been contracted on the faith of the United States, for supporting the present war, substantial and effectual revenues, of such nature as they may respectively judge most convenient, to the amount of and in the proportions following, viz.

The said revenues to be collected by persons appointed as aforesaid, but to be carried to the separate credit of the states within which they shall be collected, and be liquidated and adjusted among the states, according to the quotas which may, from time to time, be allotted to them:

That an annual account of the proceeds and application of the aforementioned revenues, shall be made out and transmitted to the several states, distinguishing the proceeds of each of the specified articles, and the amount of the whole revenue received from each state.

That none of the preceding resolutions shall take effect until all of them shall be acceded to by every state; after which unanimous accession, however, they shall be considered as forming a mutual compact among all the states, and shall be irrevocable by any one or more of them, without the concurrence of the whole, or of a majority of the United States in Congress assembled:

That as a further mean, as well of hastening the extinguishment of the debts, as of establishing the harmony of the United States, it be recommended to the states which have passed no acts towards complying with the resolutions of Congress of the 6th of September and the



10th of October, 1780, relative to territorial cessions, to make the liberal cessions therein recommended, and to the states which may have passed acts complying with the said resolutions in part only, to revise and complete such compliance :

That in order to remove all objections against a retrospective application of the constitutional rule, of proportioning to the several states, the charges and expenses which shall have been supplied for the common defence or general welfare, it be recommended to them to enable Congress to make such equitable exceptions and abatements as the particular circumstances of the states, from time to time, during the war, may be found to require :

That conformably to the liberal principles on which these recommendations are founded, and with a view to a more amicable, complete adjustment of all accounts between the United States and individual states, all reasonable expenses which shall have been incurred by the states without the sanction of Congress, in their defence against, or attacks upon British or savage enemies, either by sea or by land, and which shall be supported by satisfactory proofs, shall be considered as part of the common charges incident to the present war, and be allowed as such :

That as a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively, to the common treasury, the following alteration in the articles of confederation and perpetual union between these states be, and the same is hereby agreed to in Congress, and the several states are advised to authorize their respective delegates to subscribe and ratify the same, as part of the said instrument of union, in the words following, to wit :

So much of the eighth of the articles of confederation and perpetual union between the thirteen states of America, as is contained in the words following, to wit : " All charges of war," &c. (to the end of the paragraph) is hereby revoked and made void, and in place thereof, it is declared and concluded, the same having been agreed to in a Congress of the United States, that all charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the number of inhabitants of every age, sex and condition, except Indians, not paying taxes, in each state ; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint ; provided always, that in such numeration no person shall be included who are bound to servitude for life, according to the laws of the state to which they belong, other than such as may be between the ages of ."

A motion was made by Mr. Hamilton, seconded by Mr. Wilson, that the report of the committee be postponed, in order to take up the the following plan and recommendation :

" Whereas Congress did, on the 12th day of February last, resolve, " that it is the opinion of Congress, that the establishment of permanent and adequate funds, on taxes or duties which shall operate generally, and on the whole in just proportions throughout the United



States, are indispensably necessary towards doing complete justice to the public creditors, for restoring public credit, and for providing for the future exigencies of the war."

And whereas it is the duty of Congress, on whose faith the public debts have been contracted for the common safety, to make every effort in their power for the effectual attainment of objects so essential to the honor and welfare of the United States, relying on the wisdom and justice of their constituents for a compliance with their recommendations; therefore,

*Resolved*, That it be earnestly recommended to the several states, without delay, to pass laws for the establishment of the following funds to be vested in the United States, and to be collected and appropriated by their authority; provided that the officers for the collection of the said funds, shall be inhabitants of each state respectively in which they reside, and being nominated by Congress, shall be approved and appointed by such state, accountable to and removeable by Congress; and provided that if after any nomination being reported to the state, the same is not approved or rejected at the next meeting of the legislature, the person or persons so nominated, shall be deemed to be duly appointed, to wit:

A duty of five per cent. ad valorem at the time and place of importation, upon all goods, wares and merchandizes of foreign growth and manufactures, which may be imported into any of the said states from any foreign port, island or plantation, except arms, ammunition, clothing and other articles imported on account of the United States or any of them; and except wool cards, cotton cards and wire for making them; and also except the articles hereafter enumerated, the duty on which shall be regulated according to the specified rates thereunto annexed.

All rum of Jamaica proof per gallon, - - -  $\frac{4}{90}$

[The specifics mentioned in the report to be inserted.]

Also a duty of five per cent. ad valorem on all prizes and prize goods, condemned in the court of admiralty of any of these states as lawful prize:

A land tax at the rate of                      ninetieths of a dollar for every 100 acres of located and surveyed land:

A house tax at the general rate of half a dollar for each dwelling-house (cottages excepted) and at the additional rate of two and a half per cent. on whatever sum the rent of the said house may exceed 20 dollars, to be calculated on the actual rent, when the house is rented, and when in the occupancy of the owner, on an appraised rent by commissioners under oath, appointed by the state once in                      years; the lot and the appurtenances in towns, and in the country, the out houses, garden and orchard, to be comprehended with the dwelling-house. The duties on imports to pass to the general benefit of the United States, without credit for the proceeds to any particular states; but the product of the land and house taxes to be credited to each state in which they shall arise. The said funds to continue till the principal of the debt due by the United States at the termination of the present war shall be finally discharged.

That an estimate be transmitted to each state of the amount of the



public debt as far as the same can be ascertained ; and that Congress will inviolably adhere to their resolutions of the 16th day of December last, respecting the appropriation of any funds which may be granted, and the annual transmission of the state of the public debt, and the proceeds and disposition of the said funds ; by which all doubts and apprehensions, respecting the perpetuity of the public debt, may be effectually removed :

That none of the preceding resolutions shall take effect, &c. (in the words of the report, to the end.)

And on the question for postponing, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	no
	Mr. Osgood,	no		
	Mr. Gorham,	no		
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Wolcott,	ay	}	ay
	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
	Mr. Fitzsimmons,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
	Mr. M'Comb,	ay		
<i>Delaware,</i>	Mr. Bedford,	no	}	divided.
	Mr. T. S. Lee,	no		
<i>Maryland,</i>	Mr. Hemsley,	no	}	no
	Mr. Madison,	no		
<i>Virginia,</i>	Mr. Bland,	ay	}	no
	Mr. Lee,	no		
	Mr. Mercer,	no		
	Mr. Hawkins,	no		
<i>North-Carolina,</i>	Mr. Williamson,	no	}	no
	Mr. Rutledge,	ay		
<i>South-Carolina,</i>	Mr. Izard,	no	}	no
	Mr. Gervais,	no		

So it passed in the negative.

FRIDAY, March 21, 1783.

Congress resumed the consideration of the report of the committee on the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, and three paragraphs of the report, beginning with the



words "that it be further recommended" to the words "whole revenue received from each state" inclusively, being re-committed ;

A motion was made by Mr. Clark, seconded by Mr. Bland,

"That Congress now take up and complete that part of the report for supporting and establishing public credit, which relates to the raising a revenue by imposts upon imported goods and merchandize :"

And on the question to agree to this, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	} divided.
	Mr. White,	no	
<i>Massachusetts,</i>	Mr. Holten,	ay	} no
	Mr. Osgood,	no	
	Mr. Gorham,	no	
	Mr. Higginson,	no	
<i>Rhode-Island,</i>	Mr. Arnold,	no	} *
<i>Connecticut,</i>	Mr. Wolcott,	no	
	Mr. Dyer,	no	} no
<i>New-York,</i>	Mr. Floyd,	no	
	Mr. Hamilton,	no	} no
<i>New-Jersey,</i>	Mr. Boudinot,	no	
	Mr. Clark,	ay	} ay
	Mr. Condict,	ay	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	} no
	Mr. Wilson,	no	
	Mr. Montgomery,	no	
	Mr. Peters,	no	
<i>Delaware,</i>	Mr. M'Comb,	ay	} ay
	Mr. Bedford,	ay	
<i>Maryland,</i>	Mr. T. S. Lee,	no	} no
	Mr. Hemsley,	no	
<i>Virginia,</i>	Mr. Madison,	no	} divided.
	Mr. Bland,	ay	
	Mr. A. Lee,	ay	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} divided.
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Rutledge,	no	} no
	Mr. Izard,	no	
	Mr. Gervais,	no	

So it passed in the negative.

SATURDAY, March 22, 1783.

The committee, consisting of Mr. Gorham, Mr. Collins and Mr. Fitzsimmons, to whom was re-committed the ordinance on the memorial from the inhabitants of Nantucket, reported the draught of a passport, which was read and agreed to.

On the report of a committee, consisting of Mr. Hamilton, Mr. Dyer and Mr. Bedford, to whom was referred a motion of Mr. Dyer, together with the memorial of the officers of the army, and the report of the committee thereon ; Congress came to the following resolutions :



Whereas the officers of the several lines under the immediate command of his excellency general Washington, did, by their late memorial transmitted by their committee, represent to Congress, that the half-pay granted by sundry resolutions, was regarded in an unfavourable light by the citizens of some of these states, who would prefer a compensation for a limited term of years, or by a sum in gross, to an establishment for life; and did, on that account, solicit a commutation of their half-pay for an equivalent in one of the two modes above-mentioned, in order to remove all subject of dissatisfaction from the minds of their fellow-citizens: and whereas Congress are desirous, as well of gratifying the reasonable expectations of the officers of the army, as of removing all objections which may exist in any part of the United States, to the principle of the half-pay establishment, for which the faith of the United States hath been pledged; persuaded that those objections can only arise from the nature of the compensation, not from any indisposition to compensate those whose services, sacrifices and sufferings, have so just a title to the approbation and rewards of their country:

Therefore *Resolved*, That such officers as are now in service, and shall continue therein to the end of the war, shall be entitled to receive the amount of five years full pay in money, or securities on interest at six per cent. per annum, as Congress shall find most convenient, instead of the half-pay promised for life, by the resolution of the 21st day of October, 1780; the said securities to be such as shall be given to other creditors of the United States, provided it be at the option of the lines of the respective states, and not of officers individually in those lines, to accept or refuse the same; and provided also, that their election shall be signified to Congress through the commander in chief, from the lines under his immediate command, within two months, and through the commanding-officer of the southern army, from those under his command, within six months from the date of this resolution:

That the same commutation shall extend to the corps not belonging to the lines of particular states, and who are entitled to half-pay for life as aforesaid; the acceptance or refusal to be determined by corps, and to be signified in the same manner, and within the same time as above-mentioned:

That all officers belonging to the hospital department, who are entitled to half-pay by the resolution of the 17th day of January, 1781, may collectively agree to accept or refuse the aforesaid commutation, signifying the same through the commander in chief within six months from this time: that such officers as have retired at different periods, entitled to half-pay for life, may collectively, in each state of which they are inhabitants, accept or refuse the same; their acceptance or refusal to be signified by agents authorized for that purpose, within six months from this period; that with respect to such retiring officers, the commutation, if accepted by them, shall be in lieu of whatever may be now due to them since the time of their retiring from service, as well as of what might hereafter become due; and that so soon as their acceptance shall be signified, the superintendant of finance be, and he is hereby directed to take measures for the settlement of their accounts accordingly, and to issue to them certificates bearing interest at six



per cent. That all officers entitled to half-pay for life not included in the preceding resolution, may also collectively agree to accept or refuse the aforesaid commutation, signifying the same within six months from this time.

On the question to agree to the foregoing act, the yeas and nays being required by Mr. Conduct,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
	Mr. Gorham,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Arnold,	no	}	*
	Mr. Wolcott,	ay		
<i>Connecticut,</i>	Mr. Dyer,	ay	}	ay
	Mr. Floyd,	ay		
<i>New-York,</i>	Mr. Hamilton,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Clark,	no	}	no
	Mr. Conduct,	no		
	Mr. Fitzsimmons,	ay		
<i>Pennsylvania,</i>	Mr. Wilson,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
	Mr. M'Comb,	ay		
<i>Delaware,</i>	Mr. Bedford,	ay	}	ay
	Mr. T. S. Lee,	ay		
<i>Maryland,</i>	Mr. Hemsley,	ay	}	ay
	Mr. Madison,	ay		
<i>Virginia,</i>	Mr. Bland,	ay	}	ay
	Mr. A. Lee,	ay		
	Mr. Mercer,	ay		
	Mr. Hawkins,	ay		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Rutledge,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Gervais,	ay		

So it was resolved in the affirmative.

MONDAY, March 24, 1783.

A letter, of February 5, from the marquis de la Fayette, announcing a general peace, and a copy of orders given by the count D'Estaing, vice-admiral of France, to the chevalier Du Quesne, commander of the corvette *Triumph*, dispatched from Cadiz the 6th of February last, for the purpose of putting a stop to all hostilities by sea; being laid before Congress and read:

*Resolved*, That the agent of marine be, and he is hereby directed immediately to re-call all armed vessels cruising under commissions from the United States of America.



WEDNESDAY, March 26, 1783.

On the report of a committee, consisting of Mr. Bland, Mr. Hamilton and Mr. Peters, to whom were referred a letter of the 7th, from the commander in chief, and a letter of the 13th, from col. Armand :

Colonel Armand having entered at an early period of the war into the army of the United States with the rank of colonel, and having served with distinction in that rank, so as to acquire the particular approbation of the commander in chief for his intelligence, zeal and bravery.

*Resolved*, That in consideration of the merit and services of colonel Armand, he be promoted to the rank of brigadier-general, retaining the command of his present corps.

On the report of a committee, consisting of Mr. Gervais, Mr. Williamson and Mr. Bland, to whom was referred a memorial of Charles Mortimer :

*Resolved*, That Dr. Charles Mortimer's account be settled for pay and rations on the same principle as a junior surgeon, for the term of nine months, during which he appears to have been in the public service :

That the director-general in the hospital department, take order for delivering to Dr. Mortimer a quantity of medicines equal to what he has expended in the public hospital.

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FRIDAY, March 28, 1783.

Congress resumed the consideration of the report of the committee on the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States; and the last clause being amended to read as follows :

“ That as a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively, to the common treasury, the following alteration in the articles of confederation and perpetual union between the states be, and the same is hereby agreed to in Congress, and the several states are advised to authorize their respective delegates to subscribe and ratify the same, as part of the said instrument of union, in the words following, to wit :

“ So much of the 8th of the articles of confederation and perpetual union, as is contained in the words following, to wit : All charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state, granted to or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint; is hereby revoked and made void, and in place thereof it is declared and concluded, the same having been agreed to in a Congress of the United States, that all charges of war and all other expenses that have been or shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, except so far as shall be other-



wife provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the whole number of free inhabitants, and  $\frac{3}{5}$ ths of the number of all other inhabitants of every sex and condition, except Indians not paying taxes in each state; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint."

A motion was made by Mr. Bland, seconded by Mr. A. Lee, that the same be struck out of the report:

And on the question, shall the paragraph, as amended, stand as part of the report? the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Gilman,	ay	}	ay
	Mr. White,	ay		
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
	Mr. Gorham,	ay		
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Wolcott,	no	}	no
	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	*
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay
<i>Pennsylvania,</i>	Mr. Mifflin,	ay		
	Mr. Fitzsimmons,	ay	}	ay
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. McComb,	no	}	no
	Mr. Bedford,	no		
<i>Maryland,</i>	Mr. T. S. Lee,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
	Mr. Bland,	no		
	Mr. A. Lee,	no		
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Ramsay,	no		
	Mr. Izard,	no		
	Mr. Gervais,	no		

So the question was lost, and the paragraph struck out.

—\*—

SATURDAY, March 29, 1783.

A motion was made by Mr. A. Lee, seconded by Mr. Holten, "that the superintendant of finance do lay before Congress immediately, an account of all monies which were in his hands at his coming



into office, or have been received since for the public use, together with the application of all such monies in each month, distinguishing the date of each payment, the person to whom, and the purpose for which such payment was made."

A motion was made by Mr. Osgood, seconded by Mr. Williamson, that the motion be committed :

And on the question for commitment, the yeas and nays being required by Mr. A. Lee,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
	Mr. Gorham,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Wolcott,	ay	}	divided.
	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	divided.
	Mr. Clark,	no		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. M'Comb,	ay	}	ay
	Mr. Bedford,	ay		
<i>Maryland,</i>	Mr. T. S. Lee,	ay	}	ay
	Mr. Carroll,	ay		
	Mr. Hemsley,	no		
<i>Virginia,</i>	Mr. Jones,	ay	}	no
	Mr. Madison,	ay		
	Mr. Bland,	no		
	Mr. A. Lee,	no		
<i>North-Carolina,</i>	Mr. Mercer,	no	}	divided.
	Mr. Hawkins,	no		
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Ramsay,	no		
	Mr. Izard,	no		
	Mr. Gervais,	no		

So the question was lost.

A motion was then made by Mr. Clark, seconded by Mr. Williamson, "that the motion of Mr. Lee be postponed, in order to fill up the committees of five, appointed on the 1st Monday in July and 1st Monday in January last, pursuant to the resolution of the 17th of June, 1782 : " and on the question for postponing, the yeas and nays being required by Mr. A. Lee,



<i>New-Hampshire,</i>	Mr. Gilman,	no	} <i>divided.</i>
	Mr. White,	ay	
<i>Massachusetts,</i>	Mr. Holten,	no	} <i>no</i>
	Mr. Osgood,	no	
	Mr. Gorham,	ay	
	Mr. Higginson,	no	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} <i>divided.</i>
	Mr. Arnold,	no	
<i>Connecticut,</i>	Mr. Wolcott,	no	} <i>no</i>
	Mr. Dyer,	no	
<i>New-York,</i>	Mr. Floyd,	no	} <i>no</i>
	Mr. Hamilton,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} <i>ay</i>
	Mr. Clark,	ay	
<i>Pennsylvania,</i>	Mr. Mifflin,	no	} <i>no</i>
	Mr. Fitzsimmons,	no	
	Mr. Wilson,	no	
	Mr. Montgomery,	no	
<i>Delaware,</i>	Mr. McComb,	ay	} <i>divided.</i>
	Mr. Bedford,	no	
<i>Maryland,</i>	Mr. T. S. Lee,	no	} <i>no</i>
	Mr. Carroll,	no	
	Mr. Hemsley,	ay	
	Mr. Jones,	no	
<i>Virginia,</i>	Mr. Madison,	no	} <i>no</i>
	Mr. Bland,	no	
	Mr. A. Lee,	no	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} <i>divided.</i>
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Rutledge,	ay	} <i>divided.</i>
	Mr. Ramsay,	ay	
	Mr. Izard,	no	
	Mr. Gervais,	no	

So it passed in the negative.

A motion was then made by Mr. Madison, seconded by Mr. Wilson, that the motion before the house be postponed, in order to take into consideration the following motion :

“ That it be the duty of the superintendant of finance, with as little delay as may be, and thereafter on the            day of            in every year, to lay before the United States in Congress assembled, a state of all monies received into his department, with the times when, and the persons from whom they shall have been received ; and also a state of all payments made immediately under his warrant, with the times when, the persons to whom, and purposes for which such warrants shall have been issued : that he also, at the periods aforesaid, lay before the United States in Congress assembled, copies of the receipts given to him for all such warrants, with the amount of the estimates or substance of the other documents on which the warrants shall have been issued ; and also a report from the comptroller’s office, how far



the monies issued under warrants of the said superintendant, as afore-  
said, shall have been finally and satisfactorily accounted for :''

And on the question for postponing, the yeas and nays being requir-  
ed by Mr. A Lee,

<i>New-Hampshire,</i>	Mr. Gilman,	no	}	no
	Mr. White,	no		
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
	Mr. Gorham,	ay		
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Wolcott,	no	}	no
	Mr. Dyer,	no		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i>	Mr. M'Comb,	no	}	no
	Mr. Bedford,	no		
<i>Maryland,</i>	Mr. T. S. Lee,	ay	}	ay
	Mr. Carroll,	ay		
	Mr. Hemsley,	no		
	Mr. Jones,	no		
<i>Virginia,</i>	Mr. Madison,	ay	}	no
	Mr. Bland,	no		
	Mr. A. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	divided.
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	no	}	no
	Mr. Ramsay,	no		
	Mr. Izard,	no		
	Mr. Gervais,	no		

So it passed in the negative.

After farther debate, an adjournment was called for and carried.

MONDAY, March 31, 1783.

On the report of a committee, consisting of Mr. Carroll, Mr. Gor-  
ham and Mr. Rutledge, to whom was referred the report of a commit-  
tee on a letter of May 6, 1782, from Mr. J. Hancock, formerly presi-  
dent of Congress :

*Resolved*, That there be allowed and paid to J. Hancock, Esq; 3248  
dollars, in full, for household and other expenses for two years and five  
months, being the time he acted as president of Congress; and that  
the superintendant of finance take order for the payment thereof.



*Ordered*, That Mr. Gilman have leave of absence.

— \* —  
*TUESDAY, April 1, 1783.*

Mr. Ellsworth, a delegate for the state of Connecticut, attended, and took his seat in Congress.

On motion of Mr. Hamilton, seconded by Mr. Osgood,

*Resolved*, That the motion made on the 28th of March last, to strike out a part of the report of the committee on the means of restoring and supporting public credit, and of obtaining from the states substantial funds for funding the whole debt of the United States, be re-considered.

The paragraph being then amended to read as follows :

“ That as a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively to the common treasury, the following alteration in the articles of confederation and perpetual union between these states be, and the same is hereby agreed to in Congress, and the several states are advised to authorize their respective delegates to subscribe and ratify the same, as part of the said instrument of union, in the words following, to wit :

“ So much of the 8th of the articles of confederation and perpetual union between the thirteen states of America, as is contained in the words following, to wit :

“ All charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state granted to or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint,” is hereby revoked and made void ; and in place thereof it is declared and concluded, the same having been agreed to in a Congress of the United States, that all charges of war and all other expenses that have been or shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the whole number of white and other free citizens and inhabitants of every age, sex and condition, including those bound to servitude for a term of years, and  $\frac{3}{4}$ ths of all other persons not comprehended in the foregoing description, except Indians, not paying taxes, in each state ; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint :

And on the question, shall the clause, as amended, stand part of the report ? the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. White,	ay	} * no } ay } ay } no }
<i>Massachusetts,</i>	Mr. Holten,	no	
	Mr. Osgood,	ay	
	Mr. Gorham,	ay	
	Mr. Higginson,	no	

divided.



<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Ellsworth,	ay	}	ay
	Mr. Wolcott,	ay		
	Mr. Dyer,	ay		
<i>New-York,</i>	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. M <sup>c</sup> Comb,	ay	}	*
	Mr. T. S. Lee,	ay		
<i>Maryland,</i>	Mr. Hemsley,	ay	}	ay
	Mr. Jones,	ay		
<i>Virginia,</i>	Mr. Madison,	ay	}	ay
	Mr. Bland,	no		
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		

So it was resolved in the affirmative.

On the report of a committee, consisting of Mr. Clark, Mr. Dyer and Mr. Rutledge, to whom was referred the report of the secretary at war, on a memorial from colonel Broadhead :

*Resolved,* That the superintendant of finance take order for payment to colonel Broadhead of  $98\frac{15}{90}$  dollars, being the amount of money expended by him in defending several suits brought against him for certain transactions during his command at Fort-Pitt :

That the superintendant of finance also take order for payment to colonel Broadhead of 150 dollars, being the value of the presents made by him whilst on command at Fort-Pitt, to the chiefs and other friendly Indians of the Delaware tribe :

That the legislature of Pennsylvania be requested to take the necessary measures for indemnifying colonel Broadhead against the actions depending against him in the county of Westmoreland, or for putting a stop to those actions, the same having been brought on account of certain orders and acts issued and done by him during such command, in which orders and acts, Congress, on the 18th day of April, 1780, engaged to support him.

On the report of a committee, consisting of Mr. Osgood, Mr. Izard, Mr. A. Lee, Mr. Hamilton and Mr. Gervais, to whom were referred a letter of the 15th December, from the hon. H. Laurens, one of the 13th of March, from the hon. T. Jefferson, and one of the 28th of September, from the hon. F. Dana :

*Resolved,* That the hon. Henry Laurens have leave to return to America, agreeably to his request.

*Resolved,* That the secretary for foreign affairs inform the hon. T. Jefferson, in answer to his letter of the 13th of March, that Congress



consider the object of his appointment so far advanced, as to render it unnecessary for him to pursue his voyage ; and that Congress are well satisfied with the readiness he has shewn in undertaking a service, which, from the present situation of affairs, they apprehend can be dispensed with.

*Resolved*, That Mr. Dana, having intimated his intention of returning to America, Congress do approve of the same, provided he should not be engaged in a negotiation with the court of Petersburg at the time of receiving this resolution, in which case it is the desire of Congress that he should finish such negotiation before he returns.

*Ordered*, That Mr. Montgomery have leave of absence.

FRIDAY, April 4, 1783.

On the report of the agent of marine, to whom were referred a letter of the 5th of December, 1782, from the governor of New-Orleans, and a letter of the 2d of March last, from the governor of Havana, respecting a criminal contempt of public faith and a violation of the law of nations, alleged to have been committed by Messrs. Church and Haydon, inhabitants of Boston, in the capture of a Spanish brig, the property of Don Antonio Argote, and in firing upon a boat carrying the flag of his Catholic majesty :

*Resolved*, That the proper mode for Don Antonio Argote to obtain redress of any injuries he may have sustained from Messrs. Church and Haydon, is by prosecution in due course of law ; and that a letter be written by the president to the supreme executive of the state of Massachusetts, enclosing a copy of the said letters, and recommending to the said executive to give all such countenance, protection and assistance to the said Don Antonio de Argote, in his attempts to obtain legal satisfaction for the injuries alleged to have been done to him by the said Messrs. Church and Haydon, as becomes the United States to give to the subjects of powers in amity, who shall complain of a violation of their rights.

*Ordered*, That so much of the foregoing letters as relates to the violation of the laws of nations and rights of neutrality, together with a note from the hon. the minister of France, accompanied with the copy of a letter of the 5th of December, from the governor of New-Orleans, and a letter of the 25th of March, from Don Antonio Argote, stating the violation of the laws of nations and rights of neutrality, alleged to have been committed by Church and Haydon, aforesaid, be referred to a committee of three.

On motion of Mr. Rutledge, seconded by Mr. Mercer,

*Resolved*, That the several states be required to suspend all enlistments for any regiment or corps in the army of the United States, until the further order of Congress.

On the report of a committee, consisting of Mr. Williamson, Mr. Dyer, Mr. Condict and Mr. Montgomery, to whom was referred a letter of March the 5th, from the post-master-general :

*Resolved*, That the post-master-general be, and he is hereby authorized, from time to time, to appoint a deputy to attend the main army, who shall be entitled to draw provisions not exceeding two rations a day, and to such other reward as may be stipulated by the post-master-



general, to be paid as heretofore by the pay-master-general, upon a warrant from the commander in chief, it being provided that the amount of such rations and pay shall not exceed the allowance which was made to such officer by an act of Congress, dated the 11th of March, 1782; such pay to commence from the 10th of March last, when Mr. Alvey, late post-master with the main army, resigned.

MONDAY, April 7, 1783.

On the report of a committee, consisting of Mr. Hamilton, Mr. Peters and Mr. Gorham :

*Resolved*, That the secretary at war, in concert with the commander in chief, be, and he is hereby directed to consider and report to Congress, as speedily as may be, such measures as it will be proper to take in the present juncture for reducing the expenses of the United States in the war department.

On the report of a committee, consisting of Mr. Osgood, Mr. Floyd and Mr. Dyer, to whom was referred a letter of the 31st of March from the secretary at war, respecting a claim of Morgan Lewis, Esq; late deputy quarter-master, to the permanent rank and emoluments of a colonel :

*Ordered*, That the secretary at war inform Morgan Lewis, Esq; that his claim to permanent rank, and to be considered as retiring under the resolutions of the 21st of October, 1780, with the emoluments of a colonel, cannot consistent with the rules heretofore laid down, be admitted.

WEDNESDAY, April 9, 1783.

The committee, consisting of Mr. Ellsworth, Mr. Madison and Mr. Fitzsimmons, to whom was referred a motion of Mr. Clark, report, that an amendment be made in the report on finance, by inserting the following clause :

“That certificates for interest due on loans and other liquidated debts of the United States, to be granted if applied for, under such regulations as Congress shall establish, shall be received as specie, in payment of the said 1,500,000 dollars.

A motion was made by Mr. Clark, seconded by Mr. Dyer, to postpone the consideration of the report, in order to consider the following amendment :

“That every state shall be credited out of the last mentioned revenue for all interest by them to be hereafter respectively paid on loan-office certificates, and other liquidated debts of the United States :”

And on the question for postponing, the yeas and nays being required by Mr. Clark,

Massachusetts,	Mr. Osgood,	ay	} ay
	Mr. Gorham,	ay	
	Mr. Higginson,	ay	
Rhode-Island,	Mr. Collins,	ay	} ay
	Mr. Arnold,	ay	
Connecticut,	Mr. Ellsworth,	no	} ay
	Mr. Wolcott,	ay	
	Mr. Dyer,	ay	



<i>New-York,</i>	Mr. <i>Floyd,</i>	ay	}	ay
	Mr. <i>Hamilton,</i>	ay		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	ay	}	ay
	Mr. <i>Clark,</i>	ay		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	ay	}	divided.
	Mr. <i>Wilson,</i>	no		
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	ay	}	ay
	Mr. <i>Carroll,</i>	ay		
<i>Virginia,</i>	Mr. <i>Jones,</i>	no	}	divided.
	Mr. <i>Madison,</i>	no		
	Mr. <i>Bland,</i>	ay		
	Mr. <i>Mercer,</i>	ay		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay	}	ay
	Mr. <i>Williamson,</i>	ay		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	ay	}	ay
	Mr. <i>Izard,</i>	ay		

So it was resolved in the affirmative.

On the question to agree to the amendment moved by Mr. Clark, the yeas and nays being required by Mr. Clark,

<i>Massachusetts,</i>	Mr. <i>Osgood,</i>	no	}	no
	Mr. <i>Gorham,</i>	ay		
	Mr. <i>Higginson,</i>	no		
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	ay	}	ay
	Mr. <i>Arnold,</i>	ay		
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	ay	}	ay
	Mr. <i>Wolcott,</i>	no		
	Mr. <i>Dyer,</i>	ay		
<i>New-York,</i>	Mr. <i>Floyd,</i>	no	}	no
	Mr. <i>Hamilton,</i>	no		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	no	}	divided.
	Mr. <i>Clark,</i>	ay		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	no	}	no
	Mr. <i>Wilson,</i>	no		
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	no	}	no
	Mr. <i>Carroll,</i>	no		
<i>Virginia,</i>	Mr. <i>Jones,</i>	no	}	no
	Mr. <i>Madison,</i>	no		
	Mr. <i>Bland,</i>	no		
	Mr. <i>Mercer,</i>	no		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	no	}	no
	Mr. <i>Williamson,</i>	no		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	no	}	no
	Mr. <i>Izard,</i>	no		

So it passed in the negative.

The question being taken on the report of the committee, passed in the negative.

THURSDAY, April 10, 1783.

On the report of a committee, consisting of Mr. Peters, Mr. Dyer and Mr. T. S. Lee, to whom was referred a letter of the 23d of March, from the commander in chief:



*Resolved*, That Congress are satisfied with the reasons which have prevailed with major-general the marquis de la Fayette, for his stay in Europe, and his consequent absence from his command in the army of the United States, and have a high sense of the new proofs he has exhibited of his zeal in the cause of the said states, and of his constant attachment to their interests and welfare.

On the report of a committee, consisting of Mr. Hemmley, Mr. Gervais and Mr. Fitzsimmons, to whom were referred a memorial and the accounts of Oliver Pollock :

*Resolved*, That the three invoices of goods shipped by O. Pollock, for account of the United States, but which were received and made use of by the state of Virginia, amounting, with interest to the 1st of March, 1783, to  $23,288\frac{84}{90}$  dollars, be admitted in the settlement of his accounts with the United States ; but that he be obliged to produce vouchers to shew that the goods in invoice, marked C, amounting, with interest, to the 1st of March, 1783, to the sum of  $3177\frac{81}{90}$  dollars, was before credited to the United States, and that until he produce such vouchers, this sum be not admitted.

*Resolved*, That the charge of  $1961\frac{41}{90}$  dollars, for damages on bills drawn by the said O. Pollock upon S. and J. H. Delap, of Bourdeaux, be allowed, provided it shall appear that 10,000 dollars, which was the amount of the bills drawn, were at the time of drawing due to the said Oliver Pollock by the United States, but if not, that damages be allowed for the sum due to him at the time of the damage sustained, upon proof being made that those damages were actually paid.

*Resolved*, That the charge of 1600 dollars, paid to William Murray, for his attendance on Congress for 16 months, together with the interest charged thereon, be not admitted.

*Resolved*, That the charge of  $11,133\frac{83}{90}$  dollars, for paper-money, be not admitted.

*Resolved*, That the charge for damages on the sale of his estate, and the charge for expenses in coming from New-Orleans, to solicit the settlement and payment of his accounts, be not admitted.

FRIDAY, April 11, 1783.

The secretary for foreign affairs, to whom was referred a letter of 21st January, from the hon. B. Franklin, with an agreement between the ministers plenipotentiary of the United States of America, and the minister plenipotentiary of his Britannic majesty, on the 20th of January last, relative to a cessation of hostilities, reported the draught of a proclamation, as follows :

By the United States of America in Congress assembled.

### A P R O C L A M A T I O N,

Declaring the cessation of arms, as well by sea as by land, agreed upon between the United States of America and his Britannic majesty ; and enjoining the observance thereof.

Whereas provisional articles were signed at Paris on the 30th day of November last, between the ministers plenipotentiary of the United States of America for treating of peace, and the minister plenipotentiary of his Britannic majesty, to be inserted in, and to constitute the



treaty of peace proposed to be concluded between the United States of America and his Britannic majesty, when terms of peace should be agreed upon between their most Christian and Britannic majesties : and whereas, preliminaries for restoring peace between their most Christian and Britannic majesties were signed at Versailles, on the 20th day of January last, by the ministers of their most Christian and Britannic majesties : and whereas preliminaries for restoring peace between the said king of Great-Britain and the king of Spain, were also signed at Versailles on the same 20th day of January last :

By which said preliminary articles it hath been agreed, that as soon as the same were ratified, hostilities between the said kings, their kingdoms, states and subjects, should cease in all parts of the world : and it was further agreed, that all vessels and effects that might be taken in the channel and in the North-seas, after the space of 12 days from the ratification of the said preliminary articles, should be restored ; that the term should be one month from the channel and North-seas as far as the Canary islands, inclusively, whether in the ocean or the Mediterranean ; two months from the said Canary islands as far as the equinoctial line or equator : and lastly, five months in all other parts of the world, without any exception or more particular description of time or place : and whereas it was declared by the minister plenipotentiary of the king of Great-Britain, in the name and by the express order of the king his master, on the said 20th day of January last, that the said United States of America, their subjects and their possessions, shall be comprized in the above-mentioned suspension of arms, at the same epochs, and in the same manner as the three crowns above-mentioned, their subjects and possessions respectively ; upon condition, that on the part and in the name of the United States of America, a similar declaration shall be delivered, expressly declaring their assent to the said suspension of arms, and containing an assurance of the most perfect reciprocity on their part : and whereas the ministers plenipotentiary of these United States, did, on the 20th day of January, in the name and by the authority of the said United States, accept the said declaration, and declare that the said states should cause all hostilities to cease against his Britannic majesty, his subjects and his possessions, at the terms and epochs agreed upon between his said majesty the king of Great-Britain, his majesty the king of France, and his majesty the king of Spain, so and in the same manner as had been agreed upon between those three crowns, and to produce the same effects : and whereas the ratifications of the said preliminary articles, between their most Christian and Britannic majesties, were exchanged by their ministers on the 3d day of February last ; and between his Britannic majesty and the king of Spain, on the 9th day of February last : and whereas it is our will and pleasure, that the cessation of hostilities between the United States of America and his Britannic majesty, should be conformable to the epochs fixed between their most Christian and Britannic majesties :

We have thought fit to make known the same to the citizens of these states ; and we hereby strictly charge and command all our officers, both by sea and land, and other subjects of these United States, to forbear all acts of hostility, either by sea or by land, against his Britannic majesty or his subjects, from and after the respective times



agreed upon between their most Christian and Britannic majesties, as aforesaid.

And we do further require all governors and others, the executive powers of these United States respectively, to cause this our proclamation to be made public, to the end that the same may be duly observed within their several jurisdictions.

Done in Congress, &c.

On the question to agree to the foregoing proclamation, the yeas and nays being required by Mr. Mercer,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	ay	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	ay		
	Mr. <i>Osgood,</i>	ay	}	ay
	Mr. <i>Gorham,</i>	ay		
	Mr. <i>Higginson,</i>	ay	}	
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	ay		
	Mr. <i>Arnold,</i>	ay	}	ay
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	ay		
	Mr. <i>Wolcott,</i>	ay	}	ay
	Mr. <i>Dyer,</i>	ay		
<i>New-York,</i>	Mr. <i>Floyd,</i>	ay	}	ay
	Mr. <i>Hamilton,</i>	ay		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	ay	}	ay
	Mr. <i>Clark,</i>	ay		
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	ay	}	ay
	Mr. <i>Fitzsimmons,</i>	ay		
	Mr. <i>Wilson,</i>	ay	}	
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	ay		
	Mr. <i>Carroll,</i>	ay	}	ay
<i>Virginia,</i>	Mr. <i>Jones,</i>	ay		
	Mr. <i>Madison,</i>	ay	}	ay
	Mr. <i>Bland,</i>	ay		
	Mr. <i>Mercer,</i>	no	}	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay		
	Mr. <i>Williamson,</i>	ay	}	ay
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	ay		
	Mr. <i>Izard,</i>	ay	}	

So it was resolved in the affirmative.

TUESDAY, April 15, 1783.

Congress took into consideration the articles agreed upon at Paris, on the 30th day of November last, entitled "Articles agreed upon by and between Richard Oswald, Esq; the commissioner of his Britannic majesty, for treating of peace with the commissioners of the United States of America, in behalf of his said majesty on the one part, and John Adams, Benjamin Franklin, John Jay and Henry Laurens, four of the commissioners of the said states, for treating of peace with the commissioner of his said majesty, on their behalf, on the other part; to be inserted in, and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States; but which treaty is not to be concluded until terms of peace



shall be agreed upon between Great-Britain and France, and his Britannic majesty shall be ready to conclude such treaty accordingly ;" and thereupon,

*Resolved*, That the agent of marine cause all the naval prisoners to be set at liberty.

*Resolved*, That the commander in chief be, and he is hereby instructed to make the proper arrangements with the commander in chief of the British forces, for receiving possession of the posts in the United States occupied by the troops of his Britannic majesty ; and for obtaining the delivery of all Negroes and other property of the inhabitants of the United States in the possession of the British forces, or any subjects of, or adherents to his said Britannic majesty ; and that the secretary at war, in conjunction with the commander in chief, take proper arrangements for setting at liberty all land prisoners.

When the foregoing resolution was under debate, a motion was made by Mr. Clark, seconded by Mr. Dyer, to strike out the words "in conjunction with the commander in chief :"

And on the question, shall those words stand? the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	<i>no</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>		
	Mr. <i>Gorbam,</i>	<i>ay</i>	}	<i>ay</i>
<i>Rhode-Island,</i>	Mr. <i>Arnold,</i>	<i>ay</i>		
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Dyer,</i>	<i>no</i>		
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Hamilton,</i>	<i>ay</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>ay</i>	}	<i>divided.</i>
	Mr. <i>Clark,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>Bedford,</i>	<i>ay</i>	}	*
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>ay</i>		
	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>		
	Mr. <i>Madison,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>		

So it was resolved in the affirmative.

WEDNESDAY, April 16, 1783.

A motion was made by Mr. Hamilton, seconded by Mr. Bland, to re-consider the resolution passed yesterday, viz. "That the commander in chief," &c. to the end, in order to take into consideration the following proposition in lieu thereof, viz.

That the commander in chief be directed to enter into preparatory



arrangements, relative to the 7th article of the said treaty, with the commanders in chief of the British land and naval forces in America :"

And on the question, to re-consider for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	<i>no</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i>		
	Mr. <i>Gorham,</i>	<i>no</i>	}	<i>no</i>
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>no</i>		
	Mr. <i>Arnold,</i>	<i>ay</i>	}	<i>divided.</i>
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	<i>no</i>		
	Mr. <i>Dyer,</i>	<i>no</i>	}	<i>no</i>
<i>New-York,</i>	Mr. <i>Floyd,</i>	<i>ay</i>		
	Mr. <i>Hamilton,</i>	<i>ay</i>	}	<i>ay</i>
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>		
	Mr. <i>Clark,</i>	<i>no</i>	}	<i>no</i>
<i>Pennsylvania,</i>	Mr. <i>Mifflin,</i>	<i>no</i>		
	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Peters,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>Bedford,</i>	<i>ay</i>	}	*
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	<i>no</i>		
	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>divided.</i>
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>		
	Mr. <i>Madison,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i>		
	Mr. <i>Gervais,</i>	<i>ay</i>	}	<i>ay</i>

So the question was lost.

THURSDAY, April 17, 1783.

On the report of a committee, consisting of Mr. Osgood, Mr. Bland, Mr. Hamilton, Mr. Wolcott and Mr. Peters, to whom was referred a letter of the 14th, from the secretary at war :

*Resolved,* That immediate measures be taken for the sale of all the dragoon horses belonging to the United States, and of all such articles in the several military departments, as may not be necessary for the use of the army, previous to its reduction, or for the formation of magazines on a peace establishment.

Congress resumed the consideration of the report on revenue, when a motion was made by Mr. Gervais, seconded by Mr. Dyer, to strike out the duty of  $\frac{1}{8}$ th of a dollar per bushel upon salt :

And on the question, shall that part of the report stand? the yeas and nays being required by Mr. Gervais,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	<i>no</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i>		
	Mr. <i>Gorham,</i>	<i>no</i>	}	<i>no</i>
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>no</i>		
	Mr. <i>Arnold,</i>	<i>no</i>	}	<i>no</i>



Connecticut,	Mr. Ellsworth,	no	}	no
	Mr. Dyer,	no		
New-York,	Mr. Floyd,	ay	}	ay
	Mr. Hamilton,	ay		
New-Jersey,	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	no		
	Mr. Condict,	ay	}	ay
Pennsylvania,	Mr. Mifflin,	ay		
	Mr. Fitzsimmons,	ay	}	ay
Delaware,	Mr. M'Comb,	ay		
	Mr. Bedford,	ay	}	ay
Maryland,	Mr. T. S. Lee,	ay		
	Mr. Carroll,	ay	}	ay
Virginia,	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
North-Carolina,	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
South-Carolina,	Mr. Rutledge,	no	}	no
	Mr. Izard,	ay		
	Mr. Gervais,	no		

So the question was lost, and that clause, as well as the bounty of  $\frac{1}{8}$ th of a dollar per quintal of dried fish, and of a like sum per barrel of beef or pork exported, were struck out.

FRIDAY, April 18, 1783.

Congress resumed the consideration of the report on finance, and the following paragraph being under debate :

“ That as a further mean, as well of hastening the extinguishment of the debts, as of establishing the harmony of the United States, it be recommended to the states which have passed no acts towards complying with the resolutions of Congress of the 6th of September and 10th of October, 1780, relative to territorial cessions, to make the liberal cessions therein recommended ; and to the states which may have passed acts complying with the said resolutions in part only, to revise and complete such compliance.”

A motion was made by Mr. Bland, seconded by Mr. Rutledge, to strike out the words “ and to the states which may have passed acts complying with the said resolutions in part only, to revise and complete such compliance :”

And on the question, shall those words stand ? the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	<i>ay</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>		
	Mr. <i>Osgood,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Gorham,</i>	<i>ay</i>		
	Mr. <i>Higginson,</i>	<i>ay</i>	}	<i>ay</i>
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>ay</i>		
	Mr. <i>Arnold,</i>	<i>ay</i>		



Connecticut,	Mr. Ellsworth,	ay	} ay
	Mr. Dyer,	ay	
New-York,	Mr. Floyd,	ay	} ay
	Mr. Hamilton,	ay	
New-Jersey,	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Condict,	ay	
Pennsylvania,	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Peters,	ay	
Delaware,	Mr. M <sup>c</sup> Comb,	ay	} ay
	Mr. Bedford,	ay	
Maryland,	Mr. T. S. Lee,	ay	} ay
	Mr. Carroll,	ay	
Virginia,	Mr. Jones,	no	} no
	Mr. Madison,	no	
	Mr. Bland,	no	
	Mr. Mercer,	no	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Rutledge,	no	} no
	Mr. Izard,	ay	
	Mr. Gervais,	no	

So it was resolved in the affirmative.

Congress proceeded in the consideration of the report, and fundry amendments being made,

*Resolved* by nine states, That it be recommended to the several states, as indispensably necessary to the restoration of public credit, and to the punctual and honorable discharge of the public debts, to invest the United States in Congress assembled, with a power to levy for the use of the United States, the following duties upon goods imported into the said states from any foreign port, island or plantation :

Upon all rum of Jamaica proof per gallon,	$\frac{4}{90}$	of a dollar.
Upon all other spirituous liquors,	$\frac{3}{90}$	do.
Upon Madeira wine,	$\frac{12}{90}$	do.
Upon all other wines,	$\frac{6}{90}$	do.
Upon common bohea tea per pound,	$\frac{6}{90}$	do.
Upon all other teas,	$\frac{24}{90}$	do.
Upon pepper per pound,	$\frac{3}{90}$	do.
Upon brown sugar per pound,	$\frac{190}{2}$	do.
Upon loaf sugar per pound,	$\frac{2}{90}$	do.
Upon all other sugars,	$\frac{1}{90}$	do.
Upon molasses per gallon,	$\frac{1}{90}$	do.
Upon cocoa and coffee per pound,	$\frac{1}{90}$	do.

Upon all other goods, a duty of five per cent. ad valorem at the time and place of importation.

Provided, that none of the said duties shall be applied to any other purpose than the discharge of the interest or principal of the debts contracted on the faith of the United States, for supporting the war, agreeably to the resolution of the 16th day of December last, nor be continued for a longer term than 25 years: and provided, that the



collectors of the said duties shall be appointed by the states, within which their offices are to be respectively exercised, but when so appointed, shall be amenable to, and removeable by the United States in Congress assembled, alone; and in case any state shall not make such appointment within one month after notice given for that purpose, the appointment may then be made by the United States in Congress assembled:

That it be further recommended to the several states, to establish for a term limited to 25 years, and to appropriate to the discharge of the interest and principal of the debts contracted on the faith of the United States for supporting the war, substantial and effectual revenues of such nature as they may judge most convenient, for supplying their respective proportions of 1,500,000 dollars annually, exclusive of the aforementioned duties, which proportion shall be fixed and equalized, from time to time, according to the rule which is or may be prescribed by the articles of confederation; and in case the revenues established by any state, shall at any time yield a sum exceeding its actual proportion, the excess shall be refunded to it; and in case the revenues of any state shall be found to be deficient, the immediate deficiency shall be made up by such state with as little delay as possible, and a future deficiency guarded against by an enlargement of the revenues established: provided, that until the rule of the confederation can be carried into practice, the proportions of the said 1,500,000 dollars shall be as follows, viz.

New-Hampshire,	52,708	Delaware,	22,443
Massachusetts,	224,427	Maryland,	141,517
Rhode-Island,	32,318	Virginia,	256,487
Connecticut,	132,091	North-Carolina,	109,006
New-York,	128,243	South-Carolina,	96,183
New-Jersey,	83,358	Georgia,	16,030
Pennsylvania,	205,189		

The said last mentioned revenues to be collected by persons appointed as aforesaid, but to be carried to the separate credit of the states within which they shall be collected.

That an annual account of the proceeds and application of all the aforementioned revenues, shall be made out and transmitted to the several states, distinguishing the proceeds of each of the specified articles, and the amount of the whole revenue received from each state, together with the allowances made to the several officers employed in the collection of the said revenues.

That none of the preceding resolutions shall take effect until all of them shall be acceded to by every state, after which unanimous accession, however, they shall be considered as forming a mutual compact among all the states, and shall be irrevocable by any one or more of them without the concurrence of the whole, or of a majority of the United States in Congress assembled.

That as a further mean, as well of hastening the extinguishment of the debts, as of establishing the harmony of the United States, it be recommended to the states which have passed no acts towards complying with the resolutions of Congress of the 6th of September and 10th of October, 1780, relative to the cession of territorial claims, to make



the liberal cessions therein recommended, and to the states which may have passed acts complying with the said resolutions in part only, to revise and complete such compliance.

That as a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively to the common treasury, the following alteration in the articles of confederation and perpetual union, between these states be, and the same is hereby agreed to in Congress; and the several states are advised to authorize their respective delegates to subscribe and ratify the same as part of the said instrument of union, in the words following, to wit:

So much of the 8th of the articles of confederation and perpetual union between the thirteen states of America, as is contained in the words following, to wit:

“All charges of war and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the value of all land within each state granted to or surveyed for any person, as such land and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint,” is hereby revoked and made void; and in place thereof it is declared and concluded, that the same having been agreed to in a Congress of the United States, that all charges of war and all other expenses that have been or shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the whole number of white and other free citizens and inhabitants, of every age, sex and condition, including those bound to servitude for a term of years, and  $\frac{3}{5}$ ths of all other persons not comprehended in the foregoing description, except Indians, not paying taxes, in each state; which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint.

On the question to agree to the foregoing act, the yeas and nays being required by Mr. Arnold,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	ay	} ay
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	ay	
	Mr. <i>Osgood,</i>	ay	} ay
	Mr. <i>Gorham,</i>	ay	
	Mr. <i>Higginson,</i>	no	} no
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	no	
	Mr. <i>Arnold,</i>	no	} ay
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	ay	
	Mr. <i>Dyer,</i>	ay	} divided.
<i>New-York,</i>	Mr. <i>Floyd,</i>	ay	
	Mr. <i>Hamilton,</i>	no	} ay
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	ay	
	Mr. <i>Clark,</i>	ay	} ay
	Mr. <i>Condict,</i>	ay	



<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	ay	} ay
	Mr. <i>Peters,</i>	ay	
<i>Delaware,</i>	Mr. <i>M'Comb,</i>	ay	} ay
	Mr. <i>Bedford,</i>	ay	
<i>Maryland,</i>	Mr. <i>T. S. Lee,</i>	ay	} ay
	Mr. <i>Carroll,</i>	ay	
<i>Virginia,</i>	Mr. <i>Hemsley,</i>	ay	} ay
	Mr. <i>Madison,</i>	ay	
	Mr. <i>Bland,</i>	ay	
	Mr. <i>Mercer,</i>	ay	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay	} ay
	Mr. <i>Williamson,</i>	ay	
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	ay	} ay
	Mr. <i>Izard,</i>	ay	
	Mr. <i>Gervais,</i>	ay	

So it was resolved in the affirmative.

MONDAY, April 21, 1783.

On a report from the agent of marine, to whom was referred a memorial of John Thompson :

*Resolved,* That all accounts of persons in the marine-department for pay, depreciation or arrearages, be adjusted by the commissioner for settling the accounts of the marine-department.

A letter, of this day, from the superintendant of finance, was read, enclosing a copy of a letter of the 20th, from the minister of France, requesting the loan of the ship Duc de Lauzun, for the purpose of carrying home the French troops now in this country ; whereupon,

*Ordered,* That the said letters be referred back to the superintendant of finance, and that he take order for complying with the request of the honorable the minister of France.

On the report of a committee, consisting of Mr. Bland, Mr. Fitzsimmons and Mr. Higginson, to whom was referred a letter of the 11th, from the superintendant of finance :

*Resolved,* That the superintendant of finance, take order for the sale of the ship Duc de Lauzun, after the service for which she is lent to the minister of France is performed.

On the request of colonel M. Ogden, of the New-Jersey line, accompanied with the approbation of the commander in chief :

*Resolved,* That colonel M. Ogden, of the New-Jersey line, have leave to go to Europe.

TUESDAY, April 22, 1783.

On the report of a committee, consisting of Mr. Carroll, Mr. Williamson and Mr. Holten, to whom was referred a letter of the 15th, from Thomas Edison :

*Resolved,* That the superintendant of finance take order for the discharge of the balance, if any of the 500 dollars ordered to Thomas Edison on the 3d of September, 1782, including what he has received since the 23d day of April, 1782.

On the report of a committee, consisting of Mr. Ellsworth, Mr. Wil-



Williamson and Mr. Clark, to whom was referred a letter of the 22d of June, 1781, from Dr. George Gilmer :

*Resolved*, That the account of Dr. Gilmer for pay and rations, be settled on the same principles as the accounts of other hospital-surgeons of the same rank, according to the time he shall appear to have been employed in the public service ; and that the purveyor-general return to Dr. Gilmer a quantity of medicine equal to what he expended out of his private stores, for the use of the continental hospital under his care.

On motion of Mr. Hamilton, seconded by Mr. Williamson,

*Ordered*, That the secretary lay before Congress on every Monday, a list of all the committees which have been appointed at any time before the preceding week, and have not reported ; and that such committees be then called on to state the reasons why they have not reported.

Congress resumed the consideration of the report of the committee, on the letter from Mr. Pollock :

And on the question, for allowing him a salary of 2000 dollars per annum, as continental agent for five years, the yeas and nays being required by Mr. Ellsworth,

<i>New-Hampshire,</i>	Mr. White,	no	}	*
<i>Massachusetts,</i>	Mr. Osgood,	no		
	Mr. Gorham,	ay	}	no
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Collins,	no	}	no
	Mr. Arnold,	no		
<i>Connecticut,</i>	Mr. Ellsworth,	no	}	*
<i>New-York,</i>	Mr. Floyd,	ay		
	Mr. Hamilton,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Condict,	no	}	divided.
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay	}	ay
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. M'Comb,	ay	}	ay
	Mr. Bedford,	ay		
<i>Maryland,</i>	Mr. T. S. Lee,	ay	}	ay
	Mr. Carroll,	ay		
	Mr. Hemsley,	ay	}	ay
<i>Virginia,</i>	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
	Mr. Mercer,	ay	}	ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	no	}	divided.
<i>South-Carolina,</i>	Mr. Rutledge,	ay		
	Mr. Izard,	ay	}	ay
	Mr. Gervais,	ay		

So the question was lost.

*Ordered*, That the farther consideration of the report be postponed.



WEDNESDAY, April 23, 1783.

On the report of a committee, consisting of Mr. Osgood, Mr. Wilson, Mr. Madison, Mr. Carroll and Mr. Williamson, to whom was referred a memorial of brigadier-general Hazen, in behalf of himself, officers and others, Canadian refugees :

*Resolved*, That the memorialist be informed, that Congress retain a lively sense of the services the Canadian officers and men have rendered the United States, and that they are seriously disposed to reward them for their virtuous sufferings in the cause of liberty :

That they be farther informed, that whenever Congress can consistently make grants of land, they will reward in this way as far as may be consistent, the officers, men and others, refugees from Canada.

That so much of the memorial as relates to the payment of interest on the certificates of the officers and men, be referred to the superintendant of finance to take order.

On the report of a committee, consisting of Mr. Osgood, Mr. Bland, Mr. Hamilton, Mr. Madison and Mr. Peters, to whom was referred a letter of the 18th, from the commander in chief :

*Resolved*, That in the opinion of Congress, the time of the men engaged to serve during the war, does not expire until the ratification of the definitive treaty of peace :

That such of the non-commissioned officers and private soldiers of the above description, as continue in service to that period, shall be allowed their fire-arms and accoutrements, as an extra reward for their long and faithful services :

That Congress, nevertheless, leave it to the discretion of the commander in chief, if circumstances shall require it, to grant furloughs or discharges to those men, as he may judge most expedient.

*Ordered*, That the remainder of the report be re-committed.

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THURSDAY, April 24, 1783.

A memorial of Ignace Penet, late a lieutenant in colonel Armand's corps, and a report from the secretary at war thereon, being read :

On motion of Mr. Osgood, seconded by Mr. Hamilton,

*Ordered*, That the memorial be referred to the superintendant of finance, and that it be left to his discretion to act therein as he may conceive most proper.

The secretary for foreign affairs, having communicated to Congress a letter of the 14th of April to him from sir Guy Carleton :

*Ordered*, That the said letter from sir Guy Carleton, be referred to the commander in chief, and that he take such measures for carrying into effect the several matters therein mentioned, as to him shall seem expedient.

On motion of Mr. Gervais, seconded by Mr. Williamson,

*Ordered*, That the memorial of lieutenant Liston, praying for 200 dollars, on account of pay due to him, that he may be enabled to return to South-Carolina, be referred to the superintendant of finance, and that it be left to his discretion to act therein as he may conceive most proper.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr.



Ellsworth and Mr. Hamilton, to whom was referred a motion of Mr. Hamilton relative to the southern army :

*Resolved*, That the secretary at war and the superintendant of finance, take immediate measures for removing the lines of Virginia, Maryland and Pennsylvania, together with the corps of artillery and cavalry now under the command of major-general Greene, to such places within their respective states as they shall think proper.

On the question to agree to the above resolution, the yeas and nays being required by Mr. Rutledge,

<i>New-Hampshire,</i>	Mr. White,	ay	}	*
	Mr. Osgood,	ay		
<i>Massachusetts,</i>	Mr. Gorham,	ay	}	ay
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	ay
	Mr. Arnold,	ay		
<i>Connecticut,</i>	Mr. Ellsworth,	ay	}	*
	Mr. Floyd,	ay		
<i>New-York,</i>	Mr. Hamilton,	ay	}	ay
	Mr. Boudinot,	ay		
<i>New-Jersey,</i>	Mr. Clark,	ay	}	ay
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	ay
	Mr. Fitzsimmons,	ay		
<i>Delaware,</i>	Mr. M <sup>c</sup> Comb,	ay	}	ay
	Mr. Bedford,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. Hemsley,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	
	Mr. Madison,	ay		
	Mr. Bland,	no	}	ay
	Mr. Lee,	ay		
	Mr. Mercer,	no	}	
	Mr. Hawkins,	ay		
<i>North-Carolina,</i>	Mr. Williamson,	ay	}	ay
	Mr. Rutledge,	no		
<i>South-Carolina,</i>	Mr. Izard,	no	}	no
	Mr. Gervais,	no		

So it was resolved in the affirmative.

The committee, consisting of Mr. Madison, Mr. Ellsworth and Mr. Hamilton, appointed to prepare an address to the states, to accompany the act of the 18th of this month, reported a draught, which being read and amended, was agreed to as follows :

*Address to the States, by the United States in Congress assembled.*

The prospect which has for some time existed, and which is now happily realized, of a successful termination of the war, together with the critical exigencies of public affairs, have made it the duty of Congress to review and provide for the debts which the war has left upon the United States, and to look forward to the means of obviating



dangers which may interrupt the harmony and tranquility of the confederacy. The result of their mature and solemn deliberations on these great objects, is contained in their several recommendations of the 18th inst. herewith transmitted. Although these recommendations speak themselves the principles on which they are founded, as well as the ends which they propose, it will not be improper to enter into a few explanations and remarks, in order to place in a stronger view the necessity of complying with them.

The first measure recommended is, effectual provision for the debts of the United States. The amount of these debts, as far as they can now be ascertained, is 42,000,375 dollars, as will appear by the schedule No. 1. To discharge the principal of this aggregate debt at once, or in any short period, is evidently not within the compass of our resources; and even if it could be accomplished, the ease of the community would require that the debt itself should be left to a course of gradual extinguishment, and certain funds be provided for paying, in the mean time, the annual interest. The amount of the annual interest, as will appear by the paper last referred to, is computed to be 2,415,956 dollars. Funds, therefore, which will certainly and punctually produce this annual sum at least, must be provided.

In devising these funds, Congress did not overlook the mode of supplying the common treasury, provided by the articles of confederation; but after the most respectful consideration of that mode, they were constrained to regard it as inadequate and inapplicable to the form into which the public debt must be thrown. The delays and uncertainties incident to a revenue to be established and collected, from time to time, by thirteen independent authorities, is at first view irreconcilable with the punctuality essential in the discharge of the interest of a national debt. Our own experience, after making every allowance for transient impediments, has been a sufficient illustration of this truth. Some departure, therefore, in the recommendations of Congress, from the federal constitution, was unavoidable; but it will be found to be as small as could be reconciled with the object in view, and to be supported besides by solid considerations of interest and sound policy.

The fund which first presented itself on this, as it did on a former occasion, was a tax on imports. The reasons which recommended this branch of revenue, have heretofore been stated in an act, of which a copy, No. 2, is now forwarded, and need not be here repeated. It will suffice to recapitulate, that taxes on consumption are always least burdensome, because they are least felt, and are borne too, by those who are both willing and able to pay them; that, of all taxes on consumption, those on foreign commerce are most compatible with the genius and policy of free states; that from the relative positions of some of the more commercial states, it will be impossible to bring this essential resource into use without a concerted uniformity; that this uniformity cannot be concerted through any channel so properly as through Congress, nor for any purpose so aptly as for paying the debts of a revolution, from which an unbounded freedom has accrued to commerce.

In renewing this proposition to the states, we have not been unmindful of the objections which heretofore frustrated the unanimous adop-



tion of it. We have limited the duration of the revenue to the term of 25 years; and we have left to the states themselves the appointment of the officers who are to collect it. If the strict maxims of national credit alone were to be consulted, the revenue ought manifestly to be co-existent with the object of it, and the collection placed in every respect under that authority which is to dispense the former, and is responsible for the latter. These relaxations will, we trust, be regarded on one hand, as the effect of a disposition in Congress to attend at all times to the sentiments of those whom they serve, and on the other hand, as a proof of their anxious desire that provision may be made in some way or other for an honorable and just fulfilment of the engagements which they have formed.

To render this fund as productive as possible, and at the same time to narrow the room for collusions and frauds, it has been judged an improvement of the plan, to recommend a liberal duty on such articles as are most susceptible of a tax according to their quantity, and are of most equal and general consumption; leaving all other articles, as heretofore proposed, to be taxed according to their value.

The amount of this fund is computed to be 915,956 dollars. The estimates on which the computation is made, are detailed in paper No. 3. Accuracy in the first essay on so complex and fluctuating a subject is no to be expected. It is presumed to be as near the truth as the defect of proper materials would admit.

The residue of the computed interest is 1,500,000 dollars, and is referred to the states to be provided for by such funds as they may judge most convenient. Here again the strict maxims of public credit gave way to the desire of Congress to conform to the sentiments of their constituents. It ought not to be omitted, however, with respect to this portion of the revenue, that the mode in which it is to be supplied, varies so little from that pointed out in the articles of confederation, and the variations are so conducive to the great object proposed, that a ready and unqualified compliance on the part of the states may be the more justly expected. In fixing the quotas of this sum, Congress, as may be well imagined, were guided by very imperfect lights, and some inequalities may consequently have ensued. These, however, can be but temporary, and as far as they may exist at all, will be redressed by a retrospective adjustment, as soon as a constitutional rule can be applied.

The necessity of making the two foregoing provisions one indivisible and irrevocable act, is apparent. Without the first quality, partial provision only might be made where complete provision is essential; nay, as some states might prefer and adopt one of the funds only, and the other states the other fund only, it might happen that no provision at all would be made: without the second a single state out of the thirteen might at any time involve the nation in bankruptcy, the mere practicability of which would be a fatal bar to the establishment of national credit. Instead of enlarging on these topics, two observations are submitted to the justice and wisdom of the legislatures. First: The present creditors, or rather the domestic part of them, having either made their loans for a period which has expired, or having be-



come creditors in the first instance involuntarily, are entitled on the clear principles of justice and good faith, to demand the principal of their credits, instead of accepting the annual interest. It is necessary therefore, as the principal cannot be paid to them on demand, that the interest should be so effectually and satisfactorily secured, as to enable them if they incline, to transfer their stock at its full value. Secondly ; if the funds be so firmly constituted as to inspire a thorough and universal confidence, may it not be hoped, that the capital of the domestic debt, which bears the high interest of six per cent. may be cancelled by other loans obtained at a more moderate interest ? The saving by such an operation, would be a clear one, and might be a considerable one. As a proof of the necessity of substantial funds for the support of our credit abroad, we refer to paper No. 4.

Thus much for the interest of the national debt : for the discharge of the principal within the term limited, we rely on the natural increase of the revenue from commerce, on requisitions to be made, from time to time, for that purpose, as circumstances may dictate, and on the prospect of vacant territory. If these resources should prove inadequate, it will be necessary, at the expiration of 25 years, to continue the funds now recommended, or to establish such others as may then be found more convenient.

With a view to the resource last mentioned, as well as to obviate disagreeable controversies and confusions, Congress have included in their present recommendations, a renewal of those of the 6th day of September, and of the 10th day of October, 1780. In both those respects, a liberal and final accommodation of all interfering claims of vacant territory, is an object which cannot be pressed with too much solicitude.

The last object recommended is, a constitutional change of the rule by which a partition of the common burdens is to be made. The expediency, and even necessity of such a change, has been sufficiently enforced by the local injustice and discontents which have proceeded from valuations of the soil in every state where the experiment has been made. But how infinitely must these evils be increased, on a comparison of such valuations among the states themselves ! On whatever side indeed this rule be surveyed, the execution of it must be attended with the most serious difficulties. If the valuations be referred to the authorities of the several states, a general satisfaction is not to be hoped for : If they be executed by officers of the United States traversing the country for that purpose, besides the inequalities against which this mode would be no security, the expense would be both enormous and obnoxious : If the mode taken in the act of the 17th day of February last, which was deemed on the whole least objectionable, be adhered to, still the insufficiency of the data to the purpose to which they are to be applied, must greatly impair, if not utterly destroy all confidence in the accuracy of the result ; not to mention that as far as the result can be at all a just one, it will be indebted for the advantage to the principal on which the rule proposed to be substituted is founded. This rule, altho' not free from objections, is liable to fewer than any other that could be devised. The only material difficulty



which attended it in the deliberations of Congress, was to fix the proper difference between the labour and industry of free inhabitants, and of all other inhabitants. The ratio ultimately agreed on was the effect of mutual concessions ; and if it should be supposed not to correspond precisely with the fact, no doubt ought to be entertained that an equal spirit of accommodation among the several legislatures, will prevail against little inequalities which may be calculated on one side or on the other. But notwithstanding the confidence of Congress, as to the success of this proposition, it is their duty to recollect that the event may possibly disappoint them, and to request that measures may still be pursued for obtaining and transmitting the information called for in the act of the 17th of February last, which in such event will be essential.

The plan thus communicated and explained by Congress, must now receive its fate from their constituents. All the objects comprised in it are conceived to be of great importance to the happiness of this confederated republic, are necessary to render the fruits of the revolution, a full reward for the blood, the toils, the cares and the calamities which have purchased it. But the object of which the necessity will be peculiarly felt, and which it is peculiarly the duty of Congress to inculcate, is the provision recommended for the national debt. Although this debt is greater than could have been wished, it is still less on the whole than could have been expected, and when referred to the cause in which it has been incurred, and compared with the burdens which wars of ambition and of vain glory have entailed on other nations, ought to be borne not only with cheerfulness but with pride. But the magnitude of the debt makes no part of the question. It is sufficient that the debt has been fairly contracted and that justice and good faith demand that it should be fully discharged. Congress had no option but between different modes of discharging it. The same option is the only one that can exist with the states. The mode which has after long and elaborate discussion, been preferred, is, we are persuaded, the least objectionable of any that would have been equal to the purpose. Under this persuasion, we call upon the justice and plighted faith of the several states to give it its proper effect, to reflect on the consequences of rejecting it, and to remember that Congress will not be answerable for them.

If other motives than that of justice could be requisite on this occasion, no nation could ever feel stronger ; for to whom are the debts to be paid ?

TO AN ALLY, in the first place, who to the exertion of his arms in support of our cause, has added the succours of his treasure ; who, to his important loans, has added liberal donations ; and whose loans themselves carry the impression of his magnanimity and friendship. For more exact information on this point we refer to paper No. 5.

To *individuals in a foreign country*, in the next place, who were the first to give so precious a token of their confidence in our justice, and of their friendship for our cause, and who are members of a republic which was second in espousing our rank among nations. For the claims and expectations of this class of creditors we refer to paper No. 6.

Another class of creditors is, *that illustrious and patriotic band of*



*fellow-citizens*, whose blood and whose bravery have defended the liberties of their country, who have patiently borne, among other distresses, the privation of their stipends, whilst the distresses of their country disabled it from bestowing them ; and who, even now, ask for no more than such a portion of their dues as will enable them to retire from the field of victory and glory, into the bosom of peace and private citizenship, and for such effectual security for the residue of their claims, as their country is now unquestionably able to provide. For a full view of their sentiments and wishes on this subject, we transmit the paper No. 7 ; and as a fresh and lively instance of their superiority to every species of seduction from the paths of virtue and honor, we add the paper No. 8.

The remaining class of creditors is composed partly of such of our fellow-citizens as originally lent to the public the use of their funds, or have since manifested most confidence in their country, by receiving transfers from the lenders ; and partly of those whose property has been either advanced or assumed for the public service. To discriminate the merits of these several descriptions of creditors, would be a task equally unnecessary and invidious. If the voice of humanity plead more loudly in favour of some than of others, the voice of policy, no less than of justice, pleads in favour of all. A wise nation will never permit those who relieve the wants of their country, or who rely most on its faith, its firmness and its resources, when either of them is distrusted, to suffer by the event.

Let it be remembered finally, that it has ever been the pride and boast of America, that the rights for which she contended, were the rights of human nature. By the blessing of the author of these rights, on the means exerted for their defence, they have prevailed against all opposition, and form the basis of thirteen independent states. No instance has heretofore occurred, nor can any instance be expected hereafter to occur, in which the unadulterated forms of republican government can pretend to so fair an opportunity of justifying themselves by their fruits. In this view the citizens of the United States are responsible for the greatest trust ever confided to a political society. If justice, good faith, honor, gratitude and all the other qualities which enable the character of a nation, and fulfil the ends of government, be the fruits of our establishments, the cause of liberty will acquire a dignity and lustre which it has never yet enjoyed ; and an example will be set which cannot but have the most favourable influence on the rights of mankind. If on the other side, our governments should be unfortunately blotted with the reverse of these cardinal and essential virtues, the great cause which we have engaged to vindicate, will be dishonored and betrayed ; the last and fairest experiment in favour of the rights of human nature will be turned against them, and their patrons and friends exposed to be insulted and silenced by the votaries of tyranny and usurpation.

By order of the United States in Congress assembled.

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TUESDAY, April 29, 1783.

The papers referred to in the foregoing address and which are to accompany it, are as follows :



## PAPER No. I.

*An Estimate of the National Debt, viz.*

	Livres.	Dollars.
Due to the farmers general of France,	1,000,000	
To individuals in France, on un- liquidated accounts, estimated,	3,000,000	
To the crown of France, includ- ing a loan of 10,000,000 bor- rowed in Holland, and for which France is guarantee,	28,000,000	
To ditto, a loan for 1783,	6,000,000	
	<hr/> 38,000,000	
	at 5 livres 8 fous per dol.	7,037,037
To lenders in Holland, received in part of the loan contracted for by Mr. J. Adams, 1,678,000 florins,		671,200
Borrowed in Spain by Mr. Jay,		150,000
One year's interest of Dutch loan of 10,000,000 livres,		26,848
		<hr/>
Foreign debt, 1st January, 1783,		7,885,085

## Domestic Debt.

On loan-office certificates, reduced to } specie value,	11,463,802
Interest unpaid for 1781,	190,000
Ditto 1782,	687,828
Credit to fundries in treasury-books,	638,042
Army debt to 31st December, 1782,	5,635,618
Unliquidated debt, estimated at,	8,000,000
Commutation to the army, agreeable to } the act of 22d March last,	5,000,000
Bounty due to privates,	500,000
Deficiencies in 1783, suppose	2,000,000
	<hr/> 34,115,290
Total debt,	42,000,375

## Annual Interest of the Debt of the United States.

On the foreign debt, part at 4 and part at 5 per cent.	369,038.6
On the domestic debt, at 6 per cent.	2,046,917.4
	<hr/> 2,415,956

## PAPER No. II.

The letter of the 16th of December last to the governor of Rhode-Island and Providence Plantations, as entered on the journal of that day.



*By the United States in Congress assembled, December 16, 1782.*

The committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Fitzsimmons, to whom was referred the letter of 30th November, from the hon. William Bradford, speaker of the lower house of assembly of the state of Rhode-Island, containing, under three heads, the reasons of that state for refusing their compliance with the recommendation of Congress for a duty on imports and prize goods; report,

“That they flatter themselves the state, on a re-consideration of the objections they have offered, with a candid attention to the arguments which stand in opposition to them, will be induced to retract their dissent, convinced that the measure is supported on the most solid grounds of equal justice, policy and general utility. The following observations, contrasted with each head of the objections, successively, will furnish a satisfactory answer to the whole.

First objection. “That the proposed duty would be unequal in its operation, bearing hardest upon the most commercial states, and so would press peculiarly hard upon that state, which draws its chief support from commerce.”

The most common experience, joined to the concurrent opinions of the ablest commercial and political observers, have established beyond controversy this general principle, “that every duty on imports is incorporated with the price of the commodity, and ultimately paid by the consumer, with a profit on the duty itself, as a compensation to the merchant for the advance of his money.”

The merchant considers the duty demanded by the state on the imported article, in the same light with freight or any similar charge, and adding it to the original cost, calculates his profit on the aggregate sum. It may happen that at particular conjunctures, where the markets are overstocked, and there is a competition among the sellers, this may not be practicable; but in the general course of trade the demand for consumption preponderates, and the merchant can with ease indemnify himself and even obtain a profit on the advance. As a consumer, he pays his share of the duty, but it is no further a burthen upon him. The consequence of the principal laid down is, that every class of the community bears its share of the duty in proportion to its consumption, which last is regulated by the comparative wealth of the respective classes, in conjunction with their habits of expense or frugality. The rich and luxurious pay in proportion to their riches and luxury; the poor and parsimonious, in proportion to their poverty and parsimony. A chief excellence of this mode of revenue is, that it preserves a just measure to the abilities of individuals, promotes frugality and taxes extravagance. The same reasoning in our situation applies to the intercourse between two states; if one imports and the other does not, the latter must be supplied by the former. The duty being transferred to the price of the commodity, is no more a charge on the importing state for what is consumed in the other than it is a charge on the merchant for what is consumed by the farmer or artificer. Either state will only feel the burthen in ratio to its consumption, and this will be in ratio to its population and wealth. What happens between the different classes of the same community internally happens between the two



states; and as the merchant, in the first case, so far from losing the duty himself, has a profit on the money he advanced for that purpose; so the importing state, which in the second case is the merchant with respect to the other, is not only reimbursed by the non-importing state, but has a like benefit on the duty advanced. It is therefore the reverse of a just position, that the duty proposed will bear hardest on the most commercial states; it will, if any thing, have a contrary effect, though not in a sufficient degree to justify an objection on the part of the non-importing states. For it is as reasonable they should allow an advance on the duty paid as on the first cost, freight or any accidental charge. They have also other advantages in the measure fully equivalent to this disadvantage. Over nice and minute calculations, in matters of this nature, are inconsistent with national measures, and in the imperfect state of human affairs, would stagnate all the operations of government. Absolute equality is not to be attained: to aim at it, is pursuing a shadow at the expense of the substance, and in the event we should find ourselves wider of the mark, than if in the first instance we were content to approach it with moderation.

Second objection. "That the recommendation proposes to introduce into that and the other states, officers unknown and unaccountable to them, and so is against the constitution of the state."

It is not to be presumed that the constitution of any state could mean to define and fix the precise numbers and descriptions of all officers to be permitted in the state, excluding the creation of any new ones, whatever might be the necessity derived from that variety of circumstances incident to all political institutions. The legislature must always have a discretionary power of appointing officers, not expressly known to the constitution, and this power will include that of authorizing the federal government to make the appointments in cases where the general welfare may require it. The denial of this would prove too much; to wit, that the power given by the confederation to Congress, to appoint all officers in the post-office, was illegal and unconstitutional.

The doctrine advanced by Rhode-Island would perhaps prove also that the federal government ought to have the appointment of no internal officers whatever; a position that would defeat all the provisions of the confederation, and all the purposes of the union. The truth is, that no federal constitution can exist without powers that in their exercise effect the internal police of the component members. It is equally true, that no government can exist without a right to appoint officers for those purposes which proceed from, and center in itself; and therefore the confederation has expressly declared, that Congress shall have authority to appoint all such "civil officers as may be necessary for managing the general affairs of the United States under their direction." All that can be required is, that the federal government confine its appointments to such as it is empowered to make by the original act of union, or by the subsequent consent of the parties; unless there should be express words of exclusion in the constitution of a state, there can be no reason to doubt that it is within the compass of legislative discretion to communicate that authority.

The propriety of doing it upon the present occasion, is founded on substantial reasons.



The measure proposed is a measure of necessity. Repeated experiments have shewn, that the revenue to be raised within these states is altogether inadequate to the public wants. The deficiency can only be supplied by loans. Our applications to the foreign powers, on whose friendship we depend, have had a success far short of our necessities. The next resource is to borrow from individuals. These will neither be actuated by generosity nor reasons of state. 'Tis to their interest alone we must appeal. To conciliate this, we must not only stipulate a proper compensation for what they lend, but we must give security for the performance. We must pledge an ascertained fund; simple and productive in its nature; general in its principle, and at the disposal of a single will. There can be little confidence in a security under the constant revival of thirteen different deliberatives. It must, once for all, be defined and established on the faith of the states solemnly pledged to each other, and not revocable by any without a breach of the general compact.

'Tis by such expedients that nations, whose resources are understood, whose reputations and governments are erected on the foundation of ages, are enabled to obtain a solid and extensive credit. Would it be reasonable in us to hope for more easy terms, who have so recently assumed our rank among the nations? Is it not to be expected, that individuals will be cautious in lending their money to a people in our circumstances, and that they will at least require the best security we can give?

We have an enemy vigilant, intriguing, well acquainted with our defects and embarrassments. We may expect that he will make every effort to instil diffidences into individuals, and in the present posture of our internal affairs, he will have too plausible ground on which to tread. Our necessities have obliged us to embrace measures, with respect to our public credit, calculated to inspire distrust. The prepossessions on this article must naturally be against us, and it is therefore indispensable we should endeavour to remove them, by such means as will be the most obvious and striking.

It was with these views Congress determined on a general fund; and the one they have recommended must, upon a thorough examination, appear to have fewer inconveniencies than any other.

It has been remarked as an essential part of the plan, that the fund should depend on a single will. This will not be the case, unless the collection, as well as the appropriation, is under the controul of the United States; for it is evident, that after the duty is agreed upon, it may, in a great measure, be defeated by an ineffectual mode of levying it. The United States have a common interest in an uniform and equally energetic collection; and not only policy, but justice to all the parts of the union, designates the utility of lodging the power of making it where the interest is common. Without this it might in reality operate as a very unequal tax.

Third objection. "That by granting to Congress a power to collect monies from the commerce of these states, indefinitely as to time and quantity, and for the expenditure of which they are not to be accountable to the states, they would become independent of their con-



stituents, and so the proposed impost is repugnant to the liberty of the United States."

Admitting the principle of this objection to be true, still it ought to have no weight in the present case, because there is no analogy between the principle and the fact.

First. The fund proposed is sufficiently definite as to time, because it is only co-extensive with the existence of the debt contracted and to be contracted in the course of the war. Congress are persuaded that it is as remote from the intention of their constituents to perpetuate that debt, as to extinguish it at once by a faithless neglect of providing the means to fulfil the public engagements. Their ability to discharge it in a moderate time, can as little be doubted as their inclination, and the moment that debt ceases, the duty, so far as respects the present provision, ceases with it.

The resolution recommending the duty, specifies the object of it to be the discharge of the principal and interest of the debts already contracted, or which may be contracted on the faith of the United States for supporting the present war.

Secondly. The rate per cent. is fixed, and it is not at the option of the United States to increase it. Though the product will vary according to the variations in trade; yet as there is this limitation of the rate, it cannot be properly said to be indefinite as to quantity.

By the confederation, Congress have an absolute discretion in determining the quantum of revenue requisite for the national expenditure. When this is done, nothing remains for the states, separately, but the mode of raising. No state can dispute the obligation to pay the sum demanded without a breach of the confederation; and when the money comes into the treasury the appropriation is the exclusive province of the federal government. This provision of the confederation (without which it would be an empty form) comprehends in it the principle in its fullest latitude, which the objection under consideration treats as repugnant to the liberty of the United States, to wit, an indefinite power of prescribing the quantity of money to be raised, and of appropriating it when raised.

If it be said that the states individually, having the collection in their own hands, may refuse a compliance with exorbitant demands, the confederation will answer, that this is a point of which they have no constitutional liberty to judge. Such a refusal would be an exertion of power, not of right, and the same power which could disregard a requisition made on the authority of the confederation, might at any time arrest the collection of the duty.

The same kind of responsibility which exists with respect to the expenditure of the money furnished in the forms hitherto practised, would be equally applicable to the revenue from the imports.

The truth is, the security intended to the general liberty in the confederation, consists in the frequent election, and in the rotation of the members of Congress, by which there is a constant and an effectual check upon them. This is the security which the people in every state enjoy against the usurpations of their internal governments; and it is the true source of security in a representative republic. The government, so constituted, ought to have the means necessary to answer the end of its institution. By weakening its hands too much it may



be rendered incapable of providing for the interior harmony, or the exterior defence of the state.

The measure in question, if not within the letter, is within the spirit of the confederation. Congress, by that, are empowered to borrow money for the use of the United States, and by implication, to concert the means necessary to accomplish the end. But without insisting upon this argument, if the confederation has not made proper provision for the exigencies of the states, it will be at all times the duty of Congress to suggest further provisions; and when their proposals are submitted to the unanimous consent of the states, they can never be charged with exceeding the bounds of their trust. Such a consent is the basis and sanction of the confederation, which expressly, in the 13th article, empowers Congress to agree to and propose such additional provision.

The remarks hitherto made, have had reference principally to the future prosecution of the war. There still remains an interesting light in which the subject ought to be viewed.

The United States have already contracted a debt in Europe, and in this country, for which their faith is pledged. The capital of this debt can only be discharged by degrees; but a fund for this purpose, and for paying the interest annually, on every principle of policy and justice, ought to be provided. The omission will be the deepest ingratitude and cruelty to a large number of meritorious individuals, who, in the most critical periods of the war, have adventured their fortunes in support of our independence. It would stamp the national character with indelible disgrace.

An annual provision for the purpose will be too precarious. If its continuance and application were certain it would not afford complete relief. With many, the regular payment of interest, by occasional grants, would suffice; but with many more it would not. These want the use of the principal itself, and they have a right to it; but since it is not in our power to pay off the principal, the next expedient is to fund the debt and render the evidences of it negotiable.

Besides the advantages to individuals from this arrangement, the active stock of the nation would be increased by the whole amount of the domestic debt, and of course the abilities of the community to contribute to the public wants; the national credit would revive and stand hereafter on a secure basis.

This was another object of the proposed duty.

If it be conceded that a similar fund is necessary, it can hardly be disputed that the one recommended is the most eligible. It has been already shewn that it affects all parts of the community in proportion to their consumption, and has therefore the best pretensions to equality. It is the most agreeable tax to the people that can be imposed, because it is paid insensibly and seems to be voluntary.

It may perhaps be imagined that it is unfavourable to commerce, but the contrary can easily be demonstrated. It has been seen that it does not diminish the profit of the merchant, and of course can be no diminution of his inducements to trade. It is too moderate in its amount to discourage the consumption of imported goods, and cannot on that account abridge the extent of importations. If it even



had this effect, it would be an advantage to commerce, by lessening the proportion of our imports to our exports, and inclining the balance in favour of this country.

The principal thing to be consulted for the advancement of commerce, is to promote exports. All impediments to these, either by way of prohibition or by increasing the prices of native commodities, decreasing by that means their sale and consumption at foreign markets, are injurious. Duties on exports have this operation. For the same reason, taxes on possessions and the articles of our own growth or manufacture, whether in the form of a land tax, excise or any other, are more hurtful to trade than impost duties. The tendency of all such taxes is to increase the prices of those articles which are the objects of exportation, and to enable others to undersell us abroad. The farmer, if he pays a heavy land tax, must endeavour to get more for the products of his farm: the mechanic and labourer, if they find the necessaries of life grow dearer by an excise, must endeavour to exact higher wages: and these causes will produce an increase of prices within, and operate against foreign commerce.

It is not, however, to be inferred that the whole revenue ought to be drawn from imports: all extremes are to be rejected. The chief thing to be attended to is, that the weight of the taxes fall not too heavily in the first instance upon particular parts of the community. A judicious distribution to all kinds of taxable property, is a first principle in taxation. The tendency of these observations is only to shew, that taxes on possessions, on articles of our own growth and manufacture, are more prejudicial to trade than duties on imports.

The observations which conclude the letter on which these remarks are made, naturally lead to reflections that deserve the serious attention of every member of the union. There is a happy mean between too much confidence and excessive jealousy, in which the health and prosperity of a state consist. Either extreme is a dangerous vice; the first is a temptation to men in power to arrogate more than they have a right to; the latter enervates government, prevents system in the administration, defeats the most salutary measures, breeds confusion in the state, disgusts and discontents among the people, and may eventually prove as fatal to liberty as the opposite temper.

It is certainly pernicious to leave any government in a situation of responsibility disproportioned to its power.

The conduct of the war is intrusted to Congress, and the public expectation turned upon them without any competent means at their command to satisfy the important trust. After the most full and solemn deliberation, under a collective view of all the public difficulties, they recommend a measure which appears to them the corner stone of the public safety: they see this measure suspended for near two years; partially complied with by some of the states, rejected by one of them, and in danger on that account to be frustrated; the public embarrassments every day increasing, the dissatisfaction of the army growing more serious, the other creditors of the public clamouring for justice; both irritated by the delay of measures for their present relief or future security, the hopes of our enemies encouraged to protract the war, the zeal of our friends depressed by an appearance of remissness and



want of exertion on our part, Congress harrassed, the national character suffering, and the national safety at the mercy of events.

This state of things cannot but be extremely painful to Congress, and appear to your committee to make it their duty to be urgent to obviate the evils with which it is pregnant."

*Resolved*, That Congress agree to the said report.

### PAPER No. III.

#### *An Estimate of the Produce of the Impost on Imported Articles.*

Before the war the exports from Great-Britain to America were estimated at three and a half millions sterling, in which was included tea; but there were importations from Ireland and Scotland, as well as from Holland, not included in that estimate. It is now thought best, to estimate the imports of all goods from Europe, exclusive of tea, brandy and wine, at £. 3,500,000 sterling, at 4/6 per dollar, is 15,555,554 dollars impost of five per cent. ad valorem, 777,773

On 2,000,000 gallons rum and other spirits, $\frac{3}{90}$ ths		
per gallon,		66,666 $\frac{60}{90}$
100,000 ditto Madeira wine,	$\frac{12}{90}$	13,333 $\frac{30}{90}$
600,000 ditto other wine,	$\frac{6}{90}$	40,000
300,000 lb. bohea tea,	$\frac{6}{90}$	20,000
25,000 do. other teas,	$\frac{24}{90}$	6,666
75,000 cwt. of sugar (including loaf,) $\frac{56}{90}$		46,666
200,000 lb. coffee and cocoa,	$\frac{1}{90}$	2,222
2,000,000 gallons molasses,	$\frac{1}{90}$	22,223

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995,550

Deduct for collection, about 8 per cent. 79,594

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Net revenue upon this estimate, 915,956

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There are no precise data from which this computation could be made with any degree of certainty. The number of inhabitants has governed in part, and the imports of particular articles into the port of Philadelphia have been attended to.

The exactitude of the computation is of the less consequence, as the act of the 16th December, 1782, provides, that if the revenue shall at any time exceed the annual interest, the residue shall form a sinking fund for the discharge of the principal; and if it shall be found insufficient, the states will be called upon to enlarge their grants of revenue.

### PAPER No. IV.

*Extract of a letter from the hon. B. Franklin to the superintendant of finance, dated 23d December, 1782, and a letter of 15th of March, 1783, to the same, from the hon. the minister plenipotentiary of France, as follow:*

Passy, December 23, 1782.

"Friday last order was given to furnish me with 600,000 livres immediately, and I was answered by M. de Vergennes, "that the rest of the 6,000,000 should be paid us quarterly in the course of the year 1783."



“ I pressed hard for the whole sum demanded, but was told “ it was impossible.”

“ Our people certainly ought to do more for themselves. It is absurd the pretending to be lovers of liberty while they grudge paying for the defence of it. It is said here, that an impost of five per cent. on all goods imported, though a most reasonable proposition, had not been agreed to by all the states, and was therefore frustrated ; and that your news-papers acquaint the world with this, with the non-payment of taxes by the people, and with the non-payment of interest to the creditors of the public.

“ The knowledge of these things have hurt our credit and the loan in Holland, and would prevent our getting any thing here but from government. The foundation for credit abroad should be laid at home ; and certain funds should be prepared and established beforehand, for the regular payment at least of the interest.”

*Philadelphia, March 15, 1783.*

S I R,

I HAVE the satisfaction to inform you that his majesty procures for the United States a loan of 6,000,000, to be employed in the war department during the course of the current year. While I announce to you this new mark of the king's friendship for the United States, I must go into some details which relate to your operations, and which will inform you of the motives which have induced his majesty to make a new effort in favour of his allies.

During the last year, sir, I rendered an account to his majesty's ministers of the order which appeared to me to be introduced into your department, of the re-establishment of public credit, and of the œconomy which accompanied your operations. I added, that I considered the establishment of a general revenue for paying the interest and gradual redemption of the principal of the public debt, as extremely probable. The delays and difficulties of communication would not permit me to wait until that operation was completed by the different legislatures before I declared the wants of the United States ; and therefore I undertook to write to the count de Vergennes, that the disposition of the people to fulfil the engagements taken and to be taken by Congress, seemed to me sufficiently favourable to determine his majesty to lend for the year, new succour to the United States if the situation of his finances would permit. These assurances obtained the loan of 6,000,000 ; but the event has proved that I was deceived in the hopes which I thought myself enabled to give my court ; and the affairs of your finances, far from being bettered since the month of September, the period at which my letters on this subject were written, have on the contrary gone backward ; so that I perceive no certainty of the reimbursement of the sums formerly lent, or of those which now are so. Thus, sir, my hasty assurances have induced his majesty to make that advance, and in the moment when I am informed of it, I am under the disagreeable necessity of informing his minister that the hopes I had given are vanished, and that my assurances were without foundation. I will say nothing of the personal embarrassment which I am reduced to by these circumstances ; but I will take the liberty to observe, that the best remedy in the present conjuncture is, to take as soon as possible those measures which were not taken when I announced them.



The count de Vergennes informs me, sir, that the 6,000,000 are lent to the United States in the same manner and under the same conditions with the sum which was lent last year. That is to say, that it shall be paid monthly, at the rate of 500,000 livres per month. But as it appears from what you did me the honor to write on a former occasion, that you had anticipated a part of this subsidy, I must pray you to consider, that the first months of this year will have been employed in payment of those anticipations, and that it will be proper so to combine your drafts, as that they shall not be presented but at the monthly periods in which the funds are to be provided.

I have had the honor to inform you, sir, that this money is lent to the United States to enable them to carry on the war. The wisdom of Congress will determine according to circumstances, on the manner of effecting that important object, and of compelling the enemy by joint efforts to conclude a solid and permanent peace.

It remains for me to inform you, sir, that the king was unable to make this last effort without extreme difficulty. I have had the honor to communicate those which oppose considerable loans. They are so great, that I am commanded to inform you, in the most positive terms, that it will be impossible for the king, in any case whatever, to obtain new advances for Congress for the next year. As to the resources which you may seek elsewhere than in France, the details contained in those letters which I had the honor to read to you, will not permit a hope of success until the United States shall have established a permanent public revenue; and the delay and repugnancy with which they proceed in that business being known in Europe, the disposition to lend money to Congress ceases. Lenders place their money elsewhere: those speculations which would have been directed towards the United States take a different turn, and it will be extremely difficult to bring them back.

I abstain from repeating here the other parts of the count de Vergennes's dispatches, which I had the honor to communicate, because the truths they contain are well known to you, and because they may all be reduced to this single position, that without a speedy establishment of solid general revenue, and an exact performance of the engagements which Congress have made, you must renounce the expectation of loans in Europe.

I am ordered also, sir, to inform Congress, that my court expect they will have taken final and satisfactory measures to secure payment of the interest of the debt contracted with his majesty by the United States; but I content myself with communicating this circumstance to you, and before announcing it directly to Congress, I will wait till their present embarrassments shall be diminished.

From these details, sir, you will be able to judge of the impossibility of negotiating bills upon your plenipotentiaries beyond the funds which remain free from the 6,000,000 lent this year. It is very clear, that such bills will not be paid by us; and it is from perfect confidence in your regularity upon that subject, that I shall assure the count de Vergennes, he may be certain no demand will be made on him beyond the sums already granted.

I have the honor to be, &c.



## PAPER No. V.

The contract between his most Christian majesty and the United States of America, entered into by the count de Vergennes and Mr. Franklin the 16th of July, 1782, and ratified by Congress the 22d day of January, 1783.

The king having been pleased to attend to the requests made to him in the name, and on behalf of the United Provinces of North-America, for assistance in the war and invasion under which they had for several years groaned; and his majesty, after entering into a treaty of amity and commerce with the said confederated provinces, on the 6th of February, 1778, having had the goodness to support them, not only with his forces by land and sea, but also with advances of money, as abundant as they were effectual, in the critical situation to which their affairs were reduced. It has been judged proper and necessary to state exactly the amount of those advances, the conditions on which the king made them, the periods at which the Congress of the United States have engaged to re-pay them to his majesty's royal treasury, and in fine, to state this matter in such a way as for the future to prevent all difficulties capable of interrupting the good harmony which his majesty is resolved to maintain and preserve between him and the said United States. For executing so laudable a purpose, and with a view to strengthen the bands of amity and commerce which subsist between his majesty and the said United States: we, Charles Gravier de Vergennes, &c. counsellor of the king in all his councils, commander of his orders, minister and secretary of state, and of his commands and finances, vested with full powers of his majesty to us given for this purpose: and we, Benjamin Franklin, minister plenipotentiary of the United States of North-America, in like manner vested with full powers of the Congress of the said states for the present purpose; after duly communicating our respective powers; have agreed to the following articles:

## ARTICLE I.

It is agreed and certified, that the sums advanced by his majesty to the Congress of the United States, under the title of a loan in the years 1778, 1779, 1780, 1781, and the present, 1782, amount to the sum of 18,000,000 of livres, money of France, according to the following 21 receipts of the above-mentioned under written minister of Congress, given in virtue of his full powers, to wit:

1	28 February, 1778,	-	-	750,000
2	19 May, ditto,	-	-	750,000
3	3 August, ditto,	-	-	750,000
4	1 November, ditto,	-	-	750,000
				-----3,000,000
5	10 June, 1779,	-	-	250,000
6	16 September, ditto,	-	-	250,000
7	4 October, ditto,	-	-	250,000
8	21 December, ditto,	-	-	250,000
				-----1,000,000



9	29 February, 1780,	-	-	750,000
10	23 May, ditto,	-	-	750,000
11	21 June, ditto,	-	-	750,000
12	5 October, ditto,	-	-	750,000
13	27 November, ditto,	-	-	1,000,000
				<hr/> 4,000,000
14	15 February, 1781,	-	-	750,000
15	15 May, ditto,	-	-	750,000
16	15 August, ditto,	-	-	750,000
17	1 August, ditto,	-	-	1,000,000
18	15 November, ditto,	-	-	750,000
				<hr/> 4,000,000
19	10 April, 1782,	-	-	1,500,000
20	1 July, ditto,	-	-	1,500,000
21	5 of the same month,	-	-	3,000,000
				<hr/> 6,000,000

Amounting in the whole to 18,000,000, viz. 18,000,000

By which receipts the said minister has promised in the name of Congress, and in behalf of the thirteen United States, to cause to be paid and reimbursed to the royal treasury of his majesty, on the 1st of January, 1788, at the house of his grand banker at Paris, the said sum of 18,000,000 millions, money of France, with interest at five per cent. per annum.

#### ARTICLE II.

Considering that the payment of so large a capital at the one stipulated period, the 1st of January, 1788, may greatly injure the finances of the Congress of the United States, and it may perhaps be even impracticable on that footing, his majesty has been pleased for that reason to recede in that respect from the tenor of the receipts which the minister of Congress has given for the 18,000,000 livres tournois, mentioned in the foregoing article, and has consented that the payment of the capital in ready money, at the royal treasury, be in twelve equal payments of 1,500,000 livres each, and in twelve years only, to commence from the 3d year after a peace.

#### ARTICLE III.

Although the receipts of the minister of the Congress of the United States specify, that the 18,000,000 of livres above-mentioned, are to be paid at the royal treasury, with interest at five per cent. per annum, his majesty being willing to give the said United States a new proof of his affection and friendship, has been pleased to make a present of, and to forgive the whole arrears of interest to this day, and from thence to the day of the date of the treaty of peace; a favour which the minister of the Congress of the United States acknowledges to flow from the pure bounty of the king, and which he accepts in the name of the said United States with profound and lively acknowledgments.

#### ARTICLE IV.

The payment of the said 18,000,000 of livres tournois shall be in



ready money at the royal treasury of his majesty at Paris, in twelve equal parts, and at the terms stipulated in the above 2d article. The interest of the said sum, at five per cent. per annum, shall commence with the date of the treaty of peace, and shall be paid at every period of the partial payments of the capital, and shall diminish in proportion with the payments. The Congress of the said United States being left however, at liberty to free themselves sooner from this obligation by anticipated payments, in case the state of their finances will admit.

## ARTICLE V.

Although the loan of 5,000,000 of florins of Holland, agreed to by the states general of the United Provinces of the Netherlands, on the terms of the obligation passed on the 5th of November, 1781, between his majesty and the said states general, has been made in his majesty's name, and guaranteed by him; it is nevertheless acknowledged by these presents, that the said loan was made in reality on account and for the service of the United States of North-America, and that the capital, amounting at a moderate valuation, to the sum of 10,000,000 livres tournois, has been paid to the said United States, agreeably to a receipt for the payment of the said sum, given by the undersigned minister of Congress, the 7th day of June last.

## ARTICLE VI.

By the convention of the said 5th of November, 1781, the king has been pleased to promise and engage to furnish and pay at the general counter of the states general of the Netherlands, the capital of the said loan, with the interest at four per cent. per annum, without any charge or deduction whatever to the lenders, so that the said capital shall be wholly re-paid after the space of five years, the payments to be made in ten equal periods, the first of which to commence the 6th year from the date of the loan, and afterwards from year to year to the final payment of the said sum; but it is in like manner acknowledged by this act, that this engagement was entered into by the king, at the request of the undersigned minister of the United States, and on the promise by him made in the name of Congress, and on behalf of the thirteen United States, to cause to be reimbursed and paid at the royal treasury of his majesty at Paris, the capital, interest and cost of the said loan, according to the conditions and terms fixed by the said convention of the 5th of November, 1781.

## ARTICLE VII.

It is accordingly agreed and settled, that the sum of 10,000,000 livres tournois, being by a moderate computation, the principal of the loan of 5,000,000 of Holland florins above-mentioned, shall be reimbursed, and paid in ready money at the royal treasury of his majesty at Paris, with the interest at four per cent. per annum, in ten equal payments of 1,000,000 each, and in ten terms, the first of which shall be on the 5th of November, 1787, the second, the 5th of November, 1788, and so from year to year till the final payment of the said sum of 10,000,000, the interest lessening in proportion with the partial payments of the capital. But in consequence of the king's affection for the United States, his majesty has been pleased to charge himself with



the expense of commissions and bank for the said loan, of which expenses his majesty has made a present to the United States, and this their undersigned minister accepts with thanks in the name of Congress, as a new proof of his majesty's generosity and friendship for the said United States.

## ARTICLE VIII.

With regard to the interest of the said loan during the five years preceding the first term of payment of the capital, as the king has engaged to pay it at the general counter of the states general of the Netherlands, at the rate of four per cent. yearly, and every year, counting from the 5th of November, 1781, according to the convention of that day, the minister of Congress acknowledges that the re-payment of that is due to his majesty by the United States, and he engages in the name of the said United States, to cause payment thereof to be made, at the same time and at the same rate at the royal treasury of his majesty; the first year's interest to be paid the 5th of November next, and so yearly, during the five years preceding the first term for the payment of the capital, fixed as above on the 5th of November, 1787.

The high contracting parties reciprocally bind themselves to the faithful observance of this contract, the ratifications of which shall be exchanged in the space of nine months from this day, or sooner if possible.

In testimony whereof, we the said plenipotentiaries of his most Christian majesty, and of the thirteen United States of North-America, in virtue of our respective powers have signed these presents, and thereunto fixed the seal of our arms.

Done at Versailles, the 16th day of July, 1782.

GRAVIER DE VERGENNES,	(L. S.)
B. FRANKLIN,	(L. S.)

## PAPER No. VI.

The contract entered into by the hon. J. Adams, in behalf of the United States, with fundries, for a loan of 5,000,000 of florins:

*Translation from the Dutch.*

Minuted on a seal of 48 flivers.

(Signed)

VAN HOLE, *Notary.*

On the 11th day of June, in the year 1782, appeared before me, Pieter Galenus Van Hole, notary of Amsterdam, admitted by the hon. court of Holland,

The hon. John Adams, Esq; minister plenipotentiary on the part of the United States of America, by their high mightinesses the lords, states general of the United Netherlands, &c. &c. in quality, as especially qualified and authorized by the above-mentioned states of America in Congress assembled, for and in behalf of the said states of America, to raise a loan with any person or persons, states or companies, with subjoined assurance in good faith to ratify and fulfil all that shall be done in this respect by him, honorable appearer, according to authentic copy and translation of the original commission or power exhibited to me, notary, and deposited in my custody, in behalf of the joint money lenders.

The hon. appearer residing in the Hague, but being now in this city.



And the hon. appearer acknowledged himself, in his aforesaid quality, and thus in the name and in behalf of the above-mentioned states of America, to be duly and lawfully indebted to and in behalf of sundry persons or money lenders, in all a sum of 1,000,000 of guilders, Dutch current money, arising from and on account of so much ready money received by him hon. appearer, in his aforesaid quality, to his perfect satisfaction, from the said money lenders, in consequence of the receipt hereafter mentioned, to be signed by the hon. appearer, under the authentic copies hereof, expressly and formally disavowing the excuse of untold monies.

And the hon. appearer promised, in his aforesaid quality, to re-pay in this city the said sum of 1,000,000 of guilders, free from all costs, charges and damages, to the above-mentioned money lenders, or their assigns, at the expiration of 15 years after the 1st day of June, 1782; and that in the following manner, to wit:

That the above-mentioned capital shall remain fixed during the space of 10 years, and that with the 11th year, and thus on the 1st day of June, 1793, a fifth part, or 200,000 guilders of the said capital of 1,000,000, shall be redeemed, and in the same manner from year to year until the 1st day of June, 1797, inclusive, so that the whole capital shall be redeemed and discharged within the above-mentioned space of 15 years.

And that for said capital, at first for the whole, and afterwards for the residue, at the expiration of every year, interest shall be paid at the rate of five per cent. in the year commencing the first day of June, 1782, and to continue until the final accomplishment, and that on coupons, to be signed by or for account of said hon. appearer in his aforesaid quality.

That the above-mentioned redeeming shall be performed by drawing in presence of a notary and witnesses in this city, after the expiration of the first mentioned 10 years, in such a manner that the Nos. of the obligations drawn shall be by times made known in the public papers.

That the payment of the interests, as also the redeeming of the respective periods, shall be made at the computing houses of the hereafter-mentioned gentlemen directors, or at such other places within this city, as shall likewise be advertised in the public papers.

That the directors of this negotiation shall be Messrs. Wilhelm et Jan Willink, Nicolaas et Jacob Van Staphorst and de la Lande et Fynje, merchants of this city, who are by these presents thereto named and appointed by the hon. appearer in his aforesaid quality.

The honorable appearer promising and engaging, in the names of his constituents, that the amount of the interests and of the redeemings to be made, from time to time, of the said capital, shall be in due time remitted to the aforesaid gentlemen directors, their heirs or successors, in good bills of exchange, American products, or in ready money, without any abatement or deduction whatsoever.

That this obligation shall never be subject to any impost or taxes already laid or in time to come to be laid in the said United States of America, even in case (which God forbid) any war, hostilities or divisions should arise between aforesaid United States or any of them,



on the one side, and the states of these lands on the other, that the payment of the capital or interests of this obligation can in no wise nor under any pretext whatsoever be hindered or delayed.

The honorable appearer in his aforesaid quality, promising and engaging, moreover, for and in the names of the said United States, that there shall never be made by them or on their parts, or any of them in particular, any convention or treaty, public or private, at the making of peace or otherwise, by which the validity and accomplishment of these presents might be prejudiced, or whereby any thing contrary thereto might be stipulated, but that without any exception the contents hereof shall be maintained in full force.

The honorable appearer in his aforesaid quality likewise promises, engages and binds himself by these presents, that this engagement shall be ratified and approved as soon as possible by said United States in Congress assembled, and that authentic copy translation of said ratification, with the original, shall be deposited in custody of me, notary, to be there kept with said authentic copy translation of the commission or power of him honorable appearer, and the engrossed hereof, for the security of the money lenders, until the above-mentioned capital and interests as aforesaid shall be redeemed and paid off.

And there shall be made of this act (as the honorable appearer in his aforesaid quality consents) above and besides the above-mentioned engrossed, 1000 authentic copies which shall be of the same force and value and have the same effect as the engrossed one, under every one of which copies shall be placed a receipt of 1000 guilders Dutch current money, either on name or in blank, at the choice of the money lenders, to be signed by him honorable appearer, and which receipts shall be respectively numbered from No. 1 to 1000 inclusive, and countersigned by above-mentioned gentlemen directors, and duly attested by me, notary, as a testimony that no more than 1000 obligations are numbered in virtue of this act. All which authentic copies, with the receipts thereunder placed, shall at the redeeming of the capital, be restored by the bearers.

On failure of prompt payment, as well as of the capital, as of the interests at the appointed periods, the capital or residue thereof may be demanded by the gentlemen directors in behalf of the money lenders, who shall be then interested therein, and the aforesaid principals and committents of him, honorable appearer, shall in that case be held and bound to redeem and discharge immediately in one sum the remaining capital with the interests and charges.

For the accomplishment and performance of all the above written, the honorable appearer binds in his aforesaid quality, and thus in the names and on the part of the above-mentioned United States of America, the said United States of America jointly and each of them in particular, together with all their lands, chattles, revenues and products, together with imposts and taxes already laid and raised in the same, or in time to come to be laid and raised, and thus of all the United States of America jointly and of each of the same in particular for the whole.

He the honorable appearer renouncing, in the names as above, for that purpose expressly *beneficium divisionis*, as likewise *de duobus vel*



*pluribus reis debendi*, signifying a retribution of debts, and that when two or more are indebted, each of them can satisfy with the payment of their portion; the hon. appearer promising in his aforesaid quality, never to have recourse to the said or to any other evasions whatsoever.

This being passed (after translation into English was made hereof, and which likewise is signed by the honorable appearer, and deposited in the custody of me the said notary) within Amsterdam aforesaid, in the presence of

GIDION VICTOR et  
CORNELIS MARCHANT, } witnesses.  
(Signed) P. G. VAN HOLE, Notary.

Coll :

Faithfully translated from the Dutch, Amsterdam, this 17th day of June, 1782.

JOANNES VERGEEL, L. Son.  
Sworn Translator.

No. 1.

There are four others of the same tenor and date, numbered 2, 3, 4, 5, making in the whole 5,000,000 guilders; and each of the said contracts is ratified by Congress.

#### PAPER No. VII.

To the United States in Congress assembled.

*The address and petition of the officers of the army of the United States,*

HUMBLY SHEWETH,

That we, the officers of the army of the United States, in behalf of ourselves and our brethren the soldiers, beg leave, with all proper deference and respect, freely to state to Congress, the supreme power of the United States, the great distress under which we labour.

At this period of the war it is with peculiar pain we find ourselves constrained to address your august body, on matters of a pecuniary nature. We have struggled with our difficulties, year after year, under the hopes, that each would be the last; but we have been disappointed. We find our embarrassments thicken so fast, and have become so complex, that many of us are unable to go further. In this exigence we apply to Congress for relief as our head and sovereign.

To prove that our hardships are exceedingly disproportionate to those of any other citizens of America, let a recurrence be had to the pay-master's accounts, for four years past. If to this it should be objected, that the respective states have made settlements and given securities for the pay due, for part of that time, let the present value of those nominal obligations be ascertained by the monied men, and they will be found to be worth little indeed; and yet, trifling as they are, many have been under the sad necessity of parting with them, to prevent their families from actually starving.

We complain that shadows have been offered to us while the substance has been gleaned by others.

Our situation compels us to search for the cause of our extreme poverty. The citizens murmur at the greatness of their taxes, and are astonished that no part reaches the army. The numerous demands, which are between the first collectors and the soldiers, swallow up the whole.



Our distresses are now brought to a point. We have borne all that men can bear—our property is expended—our private resources are at an end, and our friends are wearied out and disgusted with our incessant applications. We, therefore, most seriously and earnestly beg, that a supply of money may be forwarded to the army as soon as possible. The uneasiness of the soldiers, for want of pay, is great and dangerous; any further experiments on their patience may have fatal effects.

The promised subsistence or ration of provisions, consisted of certain articles specified in kind and quantity. This ration, without regard, that we can conceive, to the health of the troops, has been frequently altered, as necessity or convenience suggested, generally losing by the change some part of its substance. On an average, not more than seven or  $\frac{8}{10}$ ths have been issued; the retained parts were, for a short time, paid for; but the business became troublesome to those who were to execute it. For this, or some other reasons, all regard to the dues as they respected the soldiers, has been discontinued (now and then a trifling gratuity excepted.) As these dues respected the officers, they were compensated during one year and part of another, by an extra ration; as to the retained rations, the account for several years remains unsettled; there is a large balance due upon it, and a considerable sum for that of forage.

The clothing was another part of the soldiers hire. The arrearages on that score, for the year 1777, were paid off in continental money, when the dollar was worth about four-pence; the arrearages for the following years are unliquidated, and we apprehend scarcely thought of but by the army. Whenever there has been a real want of means, any defect in system, or neglect in execution, in the departments of the army, we have invariably been the sufferers, by hunger and nakedness, and by languishing in an hospital.

We beg leave to urge an immediate adjustment of all dues; that as great a part as possible be paid, and the remainder put on such a footing as will restore cheerfulness to the army, revive confidence in the justice and generosity of its constituents, and contribute to the very desirable effect of re-establishing public credit.

We are grieved to find that our brethren, who retired from service on half-pay, under the resolution of Congress in 1780, are not only destitute of any effectual provision, but are become the objects of obloquy. Their condition has a very discouraging aspect on us, who must sooner or later retire, and from every consideration of justice, gratitude and policy, demands attention and redress.

We regard the act of Congress respecting half-pay, as an honorable and just recompense for several years hard service, in which the health and fortunes of the officers have been worn down and exhausted. We see with chagrin the odious point of view in which the citizens of too many of the states endeavour to place the men entitled to it. We hope, for the honor of human nature, that there are none so hardened in the sin of ingratitude, as to deny the justice of the reward. We have reason to believe that the objection generally is against the mode only. To prevent therefore, any altercations and distinctions which may tend to injure that harmony which we ardently desire may reign



throughout the community, we are willing to commute the half-pay pledged, for full pay for a certain number of years, or for a sum in gross, as shall be agreed to by the committee sent with this address. And in this we pray, that the disabled officers and soldiers, with the widows and orphans of those who have expended or may expend their lives in the service of their country, may be fully comprehended. We also beg, that some mode may be pointed out for the eventual payment of those soldiers who are the subjects of the resolution of Congress of the 15th May, 1778.

To the representation now made, the army have not a doubt that Congress will pay all that attention which the serious nature of it requires. It would be criminal in the officers to conceal the general dissatisfaction which prevails, and is gaining ground in the army, from the pressure of evils and injuries, which, in the course of seven long years, have made their condition in many instances wretched. They therefore entreat, that Congress, to convince the army and the world that the independence of America shall not be placed on the ruin of any particular class of her citizens, will point out a mode for immediate redress.

H. Knox, M. General,  
John Patterson, B. General,  
J. Groaton, Colonel,  
John Crane, Colonel,  
H. Maxwell, Lieut. Colonel,

} on part of the Massachusetts line.

J. Huntington, B. General,  
H. Swift, Colonel,  
Samuel, B. Webb, Colonel,  
Eben. Huntington, Lieut. Col.

} on part of the Connecticut line.

P. Cortlandt, Colonel,

} on part of the N. York line.

John N. Cummings, Lieut. Col.

} on part of the N. Jersey line.

William Scott, Major,

} on part of the New-Hampshire line.

W. Eustis, Hospital Surgeon,

} on part of the general hospital.

Moses Hazen, Brigadier-general.

Cantonments, Hudson's River, December, 1782.

#### PAPER No. VIII.

A letter, of the 12th, and one of the 18th March last, from the commander in chief, with the papers accompanying them, relative to the proceedings of the army in consequence of certain anonymous papers.

"S I R,

"IT is with inexpressible concern I make the following report to your excellency:—Two days ago anonymous papers were circulated in the army, requesting a general meeting of the officers on the next day. A copy of one of these papers is enclosed, No. 1.

"About the same time another anonymous paper, purporting to be an address to the officers of the army, was handed about in a clandestine manner—A copy of this is marked No. 2.



“ To prevent any precipitate and dangerous resolutions from being taken at this perilous moment, while the passions were all inflamed ; as soon as these things came to my knowledge, the next morning, I issued the enclosed order, No. 3. And in this situation the matter now rests.

“ Since writing the foregoing, another anonymous paper has been put in circulation, a copy of which is enclosed, No. 4.

(No. 1.)

A meeting of the general and field officers is requested at the public building, on Tuesday next, at 11 o'clock. A commissioned officer from each company is expected, and a delegate from the medical staff. The object of this convention, is to consider the late letter from our representatives in Philadelphia, and what measures (if any) should be adopted, to obtain that redress of grievances which they seem to have solicited in vain.

(No. 2.)

*To the Officers of the Army.*

GENTLEMEN,

A fellow foldier, whose interest and affections bind him strongly to you, whose past sufferings have been as great, and whose future fortune may be as desperate as yours—would beg leave to address you.

Age has its claims, and rank is not without its pretensions to advise : but, though unsupported by both, he flatters himself, that the plain language of sincerity and experience will neither be unheard nor unregarded.

Like many of you, he loved private life, and left it with regret. He left it, determined to retire from the field, with the necessity that called him to it, and not till then—Not till the enemies of his country, the slaves of power, and the hirelings of injustice, were compelled to abandon their schemes, and acknowledge America as terrible in arms as she had been humble in remonstrance. With this object in view, he has long shared in your toils and mingled in your dangers.—He has felt the cold hand of poverty without a murmur, and has seen the insolence of wealth without a sigh.—But, too much under the direction of his wishes, and sometimes weak enough to mistake desire for opinion, he has till lately—very lately believed in the justice of his country. He hoped, that as the clouds of adversity scattered, and as the sunshine of peace and better fortune broke in upon us, the coldness and severity of government would relax, and that, more than justice, that gratitude would blaze forth upon those hands, which had upheld her, in the darkest stages of her passage, from impending servitude to acknowledged independence. But faith has its limits as well as temper, and there are points beyond which, neither can be stretched, without sinking into cowardice or plunging into credulity.—This, my friends, I conceive to be your situation.—Hurried to the very verge of both, another step would ruin you forever.—To be tame and unprovoked when injuries press hard upon you, is more than weakness ; but to look up for kinder usage, without one manly effort of your own, would fix your character, and shew the world how richly you deserve those chains you



broke. To guard against this evil, let us take a review of the ground upon which we now stand, and from thence carry our thoughts forward for a moment, into the unexplored field of expedient.

After a pursuit of seven long years, the object for which we set out is at length brought within our reach.—Yes, my friends, that suffering courage of yours was active once—it has conducted the United States of America through a doubtful and a bloody war. It has placed her in the chair of independency, and peace returns again to bless—whom?—A country willing to redress your wrongs, cherish your worth and reward your services, a country courting your return to private life, with tears of gratitude and smiles of admiration, longing to divide with you that independency which your gallantry has given, and those riches which your wounds have preserved? Is this the case? Or is it rather, a country that tramples upon your rights, disdain your cries and insults your distresses? Have you not, more than once suggested your wishes, and made known your wants to Congress? Wants and wishes which gratitude and policy should have anticipated, rather than evaded. And have you not lately, in the meek language of entreating memorials, begged from their justice, what you would no longer expect from their favour? How have you been answered? Let the letter which you are called to consider to-morrow make reply.

If this, then, be your treatment, while the swords you wear are necessary for the defence of America, what have you to expect from peace, when your voice shall sink, and your strength dissipate by division? When those very swords, the instruments and companions of your glory, shall be taken from your sides, and no remaining mark of military distinction left but your wants, infirmities and scars? Can you then consent to be the only sufferers by this revolution, and retiring from the field, grow old in poverty, wretchedness and contempt? Can you consent to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which has hitherto been spent in honor!—If you can—go—and carry with you, the jest of Tories and the scorn of Whigs—the ridicule, and what is worse, the pity of the world. Go, starve, and be forgotten! But, if your spirit should revolt at this; if you have sense enough to discover, and spirit enough to oppose tyranny under whatever garb it may assume; whether it be the plain coat of republicanism, or the splendid robe of royalty; if you have yet learned to discriminate between a people and a cause, between men and principles—awake; attend to your situation and redress yourselves. If the present moment be lost, every future effort is in vain; and your threats then, will be as empty as your intreaties now.

I would advise you, therefore, to come to some final opinion upon what you can bear, and what you will suffer. If your determination be in any proportion to your wrongs, carry your appeal from the justice, to the fears of government. Change the milk-and-water style of your last memorial; assume a bolder tone—decent, but lively, spirited and determined, and suspect the man who would advise to more moderation and longer forbearance. Let two or three men, who can feel as well as write, be appointed to draw up your last remonstrance; for, I would no longer give it the sueing, soft, unsuccessful epithet of memorial. Let it be represented in language that will neither dishonour



you by its rudeness, nor betray you by its fears, what has been promised by Congress, and what has been performed—how long and how patiently you have suffered—how little you have asked, and how much of that little has been denied. Tell them that, though you were the first, and would wish to be the last to encounter danger: though despair itself can never drive you into dishonour, it may drive you from the field: that the wound often irritated, and never healed, may at length become incurable; and that the slightest mark of indignity from Congress now, must operate like the grave, and part you for ever: that in any political event, the army has its alternative. If peace, that nothing shall separate you from your arms but death: if war, that courting the auspices, and inviting the direction of your illustrious leader, you will retire to some unsettled country, smile in your turn, and “mock when their fear cometh on.” But let it represent also, that should they comply with the request of your late memorial, it would make you more happy and them more respectable. That while war should continue, you would follow their standard into the field, and when it came to an end, you would withdraw into the shade of private life, and give the world another subject of wonder and applause; an army victorious over its enemies—victorious over itself.

(No. 3.)

#### GENERAL ORDERS.

*Head-Quarters, Newburgh, Tuesday, March 11, 1783.*

The commander in chief, having heard that a general meeting of the officers of the army was proposed to be held this day at the new building, in an anonymous paper which was circulated yesterday by some unknown person, conceives, although he is fully persuaded that the good sense of the officers would induce them to pay very little attention to such an irregular invitation, his duty, as well as the reputation and true interest of the army, requires his disapprobation of such disorderly proceedings. At the same time he requests the general and field-officers with one officer from each company, and a proper representation from the staff of the army, will assemble at 12 o'clock on Saturday next, at the new building, to hear the report of the committee of the army to Congress. After mature deliberation, they will devise what further measures ought to be adopted as most rational and best calculated to attain the just and important object in view. The senior officer in rank, present, will be pleased to preside, and report the result of the deliberations to the commander in chief.

(No. 4.)

*To the Officers of the Army.*

GENTLEMEN,

The author of a late address, anxious to deserve, though he should fail to engage your esteem; and determined, at every risque, to unfold your duty, and discharge his own, would beg leave to solicit the further indulgence of a few moments attention. Aware of the coyness with which his last letter would be received, he feels himself neither disappointed nor displeased with the caution it has met. Ye well knew that it spoke a language, which till now, had been heard only in whispers, and that it contained some sentiments which confidence itself



would have breathed with distrust. But their lives have been short, and their observations imperfect indeed, who have yet to learn that alarms may be false; that the best designs are sometimes obliged to assume the worst aspect; and that, however synonymous surprize and disaster may be in military phrase, in moral and political meaning, they convey ideas as different as they are distinct.

Suspicion, detestable as it is in private life, is the loveliest trait of political characters. It prompts you to enquiry, bars the door against design, and opens every avenue to truth. It was the first to oppose a tyrant here, and still stands sentinel over the liberties of America. With this belief, it would illy become me to stifle the voice of this honest guardian; a guardian, who, authorized by circumstances digested into proof, has herself given birth to the address you have read, and now goes forth among you, with a request to all, that it may be treated fairly; that it be considered before it be abused, and condemned before it be tortured; convinced that in a search after error, truth will appear, that apathy itself will grow warm in the pursuit, and though it will be the last to adopt her advice, it will be the first to act upon it.

The general orders of yesterday, which the weak may mistake for disapprobation, and the designing dare to represent as such, wears, in my opinion, a very different complexion, and carries with it a very opposite tendency. Till now the commander in chief has regarded the steps you have taken for redress, with good wishes alone. His ostensible silence has authorized your meetings, and his private opinion has sanctified your claims. Had he disliked the object in view, would not the same sense of duty which forbade you from meeting on the third day of the week, have forbidden you from meeting on the seventh? Is not the same subject held up for your discussion? and has it not passed the seal of office, and taken all the solemnity of an order? This will give system to your proceedings, and stability to your resolves. It will ripen speculation into fact, and while it adds to the unanimity, it cannot possibly lessen the independency of your sentiments. It may be necessary to add, upon this subject, that, from the injunction with which the general orders close, every man is at liberty to conclude that the report to be made to head-quarters is intended for Congress. Hence will arise another motive for that energy which has been recommended: for, can you give the lie to the pathetic descriptions of your representations, and the more alarming predictions of our friends? To such as make a want of signature an objection to opinion, I reply, that it matters very little who is the author of sentiments which grow out of your feelings, and apply to your wants; that in this instance, diffidence suggested, what experience enjoins; and that while I continue to move on the high road of argument and advice, which is open to all, I shall continue to be the sole confident of my own secret. But, should the time come, when it shall be necessary to depart from this general line, and hold up any individual among you as an object of the resentment or contempt of the rest, I thus publicly pledge my honor as a soldier, and veracity as a man, that I will then assume a visible existence, and give my name to the army, with as little reserve as I now give my opinions.



*Head-Quarters, Newburgh, March 18, 1783.*

SIR,

The result of the proceedings of the grand convention of the officers, which I have the honor of enclosing to your excellency for the inspection of Congress, will, I flatter myself, be considered as the last glorious proof of patriotism which could have been given by men who aspired to the distinction of a patriot army; and will not only confirm their claim to the justice, but will increase their title to the gratitude of their country.

Having seen the proceedings on the part of the army terminate with perfect unanimity, and in a manner entirely consonant to my wishes; being impressed with the liveliest sentiments of affection for those who have so long, so patiently, and so cheerfully suffered and fought under my immediate direction; having from motives of justice, duty and gratitude, spontaneously offered myself as an advocate for their rights; and having been requested to write to your excellency, earnestly entreating the most speedy decision of Congress upon the subjects of the late address from the army to that honorable body; it now only remains for me to perform the task I have assumed, and to intercede in their behalf, as I now do, that the sovereign power will be pleased to verify the predictions I have pronounced of, and the confidence the army have reposed in the justice of their country.

And here I humbly conceive it is altogether unnecessary (while I am pleading the cause of an army which have done and suffered more than any other army ever did in the defence of the rights and liberties of human nature) to expatiate on their claims to the most ample compensation for their meritorious services, because they are perfectly known to the whole world, and because, (although the topics are inexhaustible) enough has already been said on the subject. To prove these assertions, to evince that my sentiments have ever been uniform, and to shew what my ideas of the rewards in question have always been, I appeal to the archives of Congress, and call on those sacred deposits to witness for me. And in order that my observations and arguments in favour of a future adequate provision for the officers of the army may be brought to remembrance again, and considered in a single point of view without giving Congress the trouble of having recourse to their files, I will beg leave to transmit herewith an extract from a representation made by me to a committee of Congress, so long ago as the 29th of January, 1778, and also the transcript of a letter to the president of Congress, dated near Passaick-Falls, October 11, 1780.\*

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\* *Extract from a Representation made by the Commander in Chief to a Committee of Congress at the Army, 29th January, 1778.*

GENTLEMEN,

“THE numerous defects in our present military establishment, rendering many reformatations and many new arrangements absolutely necessary, and Congress having been pleased to appoint you a committee, in concert with me, to make and recommend such as shall appear eligible, in pursuance of the various objects expressed in their resolution for that purpose;—I have in the following sheets briefly delivered my sentiments



That in the critical and perilous moment when the last mentioned communication was made, there was the utmost danger a dissolution of the army would have taken place, unless measures similar to those recommended had been adopted, will not admit a doubt. That the adoption of the resolution, granting half-pay for life, has been attended with all the happy consequences I had foretold, so far as respected the good of the service, let the astonishing contrast between the state of the army at this instant, and at the former period, determine. And that the establishment of funds, and security of the payment of all the just demands of the army, will be the most certain means of preserving

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upon such of them as seemed to me most essential, so far as observation has suggested and leisure permitted. These are submitted to consideration, and I shall be happy if they are found conducive to remedying the evils and inconveniencies we are now subject to, and putting the army upon a more respectable footing. Something must be done; important alterations must be made; necessity requires that our resources should be enlarged and our system improved; for without it, if the dissolution of the army should not be the consequence, at least, its operations must infallibly be feeble, languid and ineffectual.

“As I consider a proper and satisfactory provision for officers, in a manner as the basis of every other regulation and arrangement necessary to be made; since without officers no army can exist, and unless some measures be devised to place those of ours in a more desirable situation, few of them would be able, if willing to continue in it.—I shall begin with a few reflections tending to prove the necessity of a half-pay and pensionary establishment.

“A small knowledge of human nature will convince us that with far the greatest part of mankind, interest is the governing principle, and that almost every man is more or less under its influence. Motives of public virtue may for a time, or in particular instances, actuate men to the observance of a conduct purely disinterested, but they are not of themselves sufficient to produce a persevering conformity to the refined dictates and obligations of social duty; few men are capable of making a continual sacrifice of all views of private interest or advantage, to the common good: it is in vain to exclaim against the depravity of human nature on this account—the fact is so, the experience of every age and nation has proved it, and we must in a great measure change the constitution of man, before we can make it otherwise; no institution not built on the presumptive truths of these maxims, can succeed.

“We find them exemplified in the American officers, as well as in all other men. At the commencement of the dispute; in the first effusions of their zeal, and looking upon the service to be only temporary, they entered into it without paying any regard to pecuniary or selfish considerations; but finding its duration to be much longer than they at first suspected, and that, instead of deriving any advantage from the hardships and dangers to which they were exposed, they, on the contrary, were losers by their patriotism, and fell far short even of a competency to supply their wants, they have gradually abated in their



the national faith and future tranquility of this extensive continent, is my decided opinion.

By the preceding remarks, it will readily be imagined, that instead of retracting and reprehending (from farther experience and reflection) the mode of compensation so strenuously urged in the enclosures, I am more and more confirmed in the sentiment, and if in the wrong, suffer me to please myself with the grateful delusion.

For if, besides the simple payment of their wages, a further compensation is not due to the sufferings and sacrifices of the officers, then have I been mistaken indeed. If the whole army have not merited

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ardor; and with many an entire disinclination to the service, under its present circumstances, has taken place. To this, in an eminent degree, must be ascribed the frequent resignations daily happening, and the more frequent importunities for permission to resign, and from some officers of the greatest merit; to this also may be ascribed the apathy, inattention and neglect of duty, which pervade all ranks, and which will necessarily continue and increase, while an officer, instead of gaining any thing is impoverished by his commission, and conceives he is conferring, not receiving a favour in holding it. There can be no sufficient tie upon men possessing such sentiments; nor can any method be adopted to oblige those to a punctual discharge of duty, who are indifferent about their continuance in the service, and are often seeking a pretext to disengage themselves from it. Punishment, in this case, will be unavailing; but when an officer's commission is made valuable to him, and he fears to lose it, you may then exact obedience from him.

“It is not indeed consistent with reason or justice, to expect that one set of men should make a sacrifice of property, domestic ease and happiness, encounter the rigors of the field, the perils and vicissitudes of war, to obtain those blessings which every citizen will enjoy in common with them, without some adequate compensation. It must also be a comfortless reflection to any man, that after he may have contributed to securing the rights of his country, at the risk of his life and the ruin of his fortune, there would be no provision made to prevent himself and family from sinking into indigence and wretchedness. Besides adopting some methods to make the provision for officers equal to their present exigences, a due regard should be paid to futurity. Nothing, in my opinion, would serve more powerfully to reanimate their languishing zeal, and interest them thoroughly in the service, than a half-pay and pensionary establishment. This would not only dispel the apprehension of personal distress at the termination of the war, from having thrown themselves out of professions and employments they might not have it in their power to resume, but would in a great degree relieve the painful anticipation of leaving their widows and orphans a burthen on the charity of their country, should it be their lot to fall in its defence.

“I am earnest in recommending this measure, because I know it is the general wish and expectation, and that many officers, whom, upon every principle we should wish to retain in the service, are only wait-



whatever a grateful people can bestow, then have I been beguiled by prejudice, and built opinion on the basis of error. If this country should not, in the event, perform every thing which has been requested in the late memorial to Congress, then will my belief become vain, and the hope that has been excited, void of foundation. And if, (as has been suggested for the purpose of inflaming their passions) the officers of the army "are to be the only sufferers by this revolution; if retiring from the field they are to grow old in poverty, wretchedness and contempt: if they are to wade through the vile mire of dependency, and owe the miserable remnant of that life to charity, which

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ing to see whether something of the kind will, or will not take place, to be determined in their resolution, either of staying in or quitting it immediately; and I urge my sentiments with the greater freedom, because I cannot and shall not receive the smallest benefit from the establishment, and can have no other inducement for proposing it, than a full conviction of its utility and propriety.

"I am sensible, the expense will be a capital objection to it, but to this I oppose the necessity—the officers are now discontented with their situation: if some generous expedient is not embraced to remove their discontent, so extensive a desertion from the service will ensue, and so much discouragement be cast upon those who remain, as must wound it in a very essential manner. Every thing that has this effect, has a tendency at least, to protract the war, and though dictated by a well intended frugality, will, I fear, in the end prove erroneous œconomy."

*Extract of a Letter from General Washington to Congress, dated Passaic Falls, 11th October, 1780.*

"THAT there are the most conclusive reasons for reducing the number of regiments, no person acquainted with the situation of our affairs, and the state of the army, will deny. A want of officers, independent of other considerations, were sufficient to compel us; but that the temper of the army, produced by its sufferings, requires great caution in any reforms that are attempted, is a position not less evident than the former. In services the best established, where the hands of government are strengthened by the strongest interests of the army to submission, the reducing of its regiments, and dismissing a great part of its officers is always a measure of difficulty and delicacy. In ours, where the officers are held by the feeblest ties, and are mouldering away by daily resignations, it is peculiarly so. The last reduction occasioned many to quit the service besides those who were reformed, and left durable seeds of discontent among those who remained. The general topic of declamation was, that it was as hard as dishonourable for men, who had made every sacrifice to the service to be turned out of it at the pleasure of those in power, without an adequate compensation. In the maturity to which their uneasinesses have now arisen, from a continuance in misery, they will be still more impatient under an attempt of a similar nature. How far these dispositions may be reasonable, I pretend not to decide, but in the extremity to which we



has hitherto been spent in honor," then shall I have learned what ingratitude is, then shall I have realized a tale which will embitter every moment of my future life.

But I am under no such apprehensions ; a country rescued by their arms from impending ruin, will never leave unpaid the debt of gratitude.

Should any intemperate or improper warmth have mingled itself among the foregoing observations, I must entreat your excellency and Congress, it may be attributed to the effusion of an honest zeal in the best of causes, and that my peculiar situation may be my apology ; and

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are arrived, policy forbids us to add new irritations ; too many of the officers wish to get rid of their commissions, but they are unwilling to be forced into it.

It is not the intention of these remarks to discourage a reform, but to shew the necessity of guarding against the ill effects by an ample provision, both for the officers who stay, and for those who are reduced. This should be the basis of the plan, and without it I apprehend the most mischievous consequences, this would obviate many scruples that will otherwise be found prejudicial in the extreme. I am convinced Congress are not a little straitened in the means of a present provision, so ample as to give satisfaction, but this proves the expediency of a future one, and brings me to that which I have so frequently recommended as the most æconomical, the most politic and the most effectual that could be devised, a half-pay for life : supported by a prospect of a permanent dependence, the officers would be tied to the service, and would submit to many momentary privations, and to the inconveniencies which the situation of public affairs makes unavoidable. This is exemplified in the Pennsylvania officers, who, being upon this establishment, are so much interested in the service, that in the course of months there has been only one resignation in that line.

" If the objection drawn from the principle of this measure, being incompatible with the genius of our government, is thought unmountable, I would propose a substitute less eligible, in my opinion, but which may answer the purpose—It is, to make the present half-pay for seven years whole pay for the same period, to be advanced in two different payments ; one half in a year after the conclusion of peace, the other half in two years subsequent to the first.

" No objection to this measure occurs to me, except it be thought too great an expense ; but in my judgment, whatever can give consistency to our military establishment, will be ultimately favourable to æconomy. It is not easy to be conceived, except by those who are witnesses to it, what an additional waste and consumption of every thing, and consequently what an increase of expense, results from the laxness of discipline in the army ; and where the officers think they are doing the public a favour by holding their commissions, and the men are continually fluctuating, it is impossible to maintain discipline. Nothing can to me be more obvious than that a sound military establishment and the interests of æconomy are the same : how much more



I hope I need not, on this momentous occasion, make any new protestations of disinterestedness, having ever renounced for myself the idea of pecuniary reward. The consciousness of having attempted faithfully to discharge my duty, and the approbation of my country, will be a sufficient recompense for my services.

I have the honor to be, &c. &c.

GEORGE WASHINGTON.

His excellency the  
president of Congress.

the purposes of the war will be promoted by it in other respects, will not admit of an argument.

In reasoning upon the measure of a future provision, I have heard gentlemen object the want of it in some foreign armies, without advertent to the difference of circumstances. The military state holds the first rank in most of the countries of Europe, and is the road to honor and emolument. The establishment is permanent, and whatever be an officer's provision, it is for life, and he has a profession for life; he has future as well as present motives of military honor and preferment; he is attached to the service by the spirit of the government, by education, and in most cases by early habit; his present condition, if not splendid, is comfortable; pensions, distinctions and particular privileges, are commonly his rewards in retirement. In the case of the American officers, military character has been suddenly taken up, and is to end with the war.

Congress will herewith receive a list of the officers in the New-Hampshire, Massachusetts, Connecticut, New-York, New-Jersey, Pennsylvania and Maryland lines, previous to its marching to the southward; also in Crane's and Lamb's artillery, Sheldon's horse; and in Hazen's, Sherburn's, Spencer's and Livingston's regiments, who have actually had their resignations entered at head-quarters in the course of this year; and who, in general, urged their necessities when they applied on the subject, and insisted, notwithstanding every persuasion to induce their continuance, that their circumstances would not admit of their remaining in service longer. Besides those resignations, there are a great many of which I have no certain account, as the officers being permitted to go home on furlough in the course of the last winter, have never rejoined the army, and have only sent messages, or written to their regimental officers, that their own distresses and those of their families, would not permit their return. As to the resignations which have taken place in the Virginia line and the other troops at the southward, since they were acting in that quarter, I have no account of them, but I make no doubt that many have happened. All these serve to shew the necessity of some more competent establishment than the present one; and I hold it my duty to mention, from the accounts I daily receive, unless this is the case, that I have strong reasons to believe we shall not be able to retain, after the end of the campaign, as many officers, especially in some lines, as will be even sufficient for the common duties when in quarters. If matters fortu-



(No. 5.)

*Cantonment, 15th March, 1783.*

The officers of the army being convened agreeably to a general order of the 11th instant, the hon. major-general Gates, president, his excellency the commander in chief was pleased to address the meeting as follows :

GENTLEMEN,

By an anonymous summons, an attempt has been made to convene you together. How inconsistent with the rules of propriety, how unmilitary and how subversive of all order and discipline, let the good sense of the army decide.

In the moment of this summons, another anonymous production was sent into circulation, addressed more to the feelings and passions than to the reason and judgment of the army. The author of the piece is entitled to much credit for the goodness of his pen ; and I could wish he had as much credit for the rectitude of his heart ; for, as men see through different optics, and are induced by the reflecting faculties of the mind, to use different means to attain the same end, the author of the address should have had more charity than to mark for suspicion the man who should recommend moderation and longer forbearance, or, in other words, who should not think as he thinks, and act as he advises. But he had another plan in view, in which candor and liberality of sentiment, regard to justice and love of country, have no part ; and he was right to insinuate the darkest suspicion to effect the blackest design. That the address is drawn with great art, and is designed to answer the most insidious purposes ; that it is calculated to impress the mind with an idea of premeditated injustice in the sovereign power of the United States, and rouse all those resentments which must unavoidably flow from such a belief ; that the secret mover of this scheme, whoever he may be, intended to take advantage of the passions, while they were warmed by the recollection of past distresses, without giving time for cool, deliberate thinking ; and that composure of mind which is so necessary to give dignity and stability to measures, is rendered too obvious, by the mode of conducting the business, to need other proof than a reference to the proceeding.

Thus much, gentlemen, I have thought it incumbent on me to ob-

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nately should not proceed to the lengths my fears forebode, yet Congress will be sensible at the first view, of the injuries and great inconveniences which must attend such a continual change of officers and consequent promotions, which are and will be inevitable.

“ After having exhibited this view of the present state of the army, it is almost needless to add that, excepting in the rank of field officers, and a very few captains, we shall have new officers to provide, rather than old ones to disband at the reduction of regiments ; and how they are to be had I know not, no disposition having been discovered of late to enter the service. Congress have little to apprehend on account of the expense of supernumerary officers when this event takes place.”



serve to you, to shew upon what principles I opposed the irregular and hasty meeting which was proposed to have been held on Tuesday last, and not because I wanted a disposition to give you every opportunity, consistent with your own honor, and the dignity of the army, to make known your grievances. If my conduct heretofore has not evinced to you, that I have been a faithful friend to the army, my declaration of it at this time would be equally unavailing and improper. But as I was among the first who embarked in the cause of our common country; as I have never left your side one moment, but when called from you on public duty; as I have been the constant companion and witness of your distresses, and not among the last to feel and acknowledge your merits; as I have ever considered my own military reputation as inseparably connected with that of the army; as my heart has ever expanded with joy when I have heard its praises, and my indignation has arisen when the mouth of detraction has been opened against it, it can scarcely be supposed, at this last stage of the war, that I am indifferent to its interests. But how are they to be promoted? The way is plain, says the anonymous addresser. "If war continues, remove into the unsettled country; there establish yourselves and leave an ungrateful country to defend itself."—But who are they to defend? Our wives, our children, our farms and other property which we leave behind us? or, in this state of hostile separation, are we to take the two first (the latter cannot be removed) to perish in a wilderness with hunger, cold and nakedness? "If peace takes place, never sheath your swords," says he, "until you have obtained full and ample justice." This dreadful alternative of either deserting our country in the extremest hour of her distress, or turning our arms against it, which is the apparent object, unless Congress can be compelled into instant compliance, has something so shocking in it, that humanity revolts at the idea. My God! what can this writer have in view, by recommending such measures? Can he be a friend to the army? Can he be a friend to this country? Rather is he not an insidious foe? Some emissary, perhaps, from New-York, plotting the ruin of both, by sowing the seeds of discord and separation between the civil and military powers of the continent? and what a compliment does he pay to our understandings, when he recommends measures, in either alternative, impracticable in their nature? But, here, gentlemen, I will drop the curtain, because it would be as imprudent in me to assign my reasons for this opinion, as it would be insulting to your conception to suppose you stood in need of them. A moment's reflection will convince every dispassionate mind of the physical impossibility of carrying either proposal into execution. There might, gentlemen, be an impropriety in my taking notice, in this address to you, of an anonymous production;—but the manner in which that performance has been introduced to the army, the effect it was intended to have, together with some other circumstances, will amply justify my observation on the tendency of that writing.

With respect to the advice given by the author, to suspect the man who shall recommend moderate measures and longer forbearance, I spurn it, as every man who regards that liberty and reveres that justice for which we contend, undoubtedly must; for, if men are to be pre-



cluded from offering their sentiments on a matter which may involve the most serious and alarming consequences that can invite the consideration of mankind, reason is of no use to us. The freedom of speech may be taken away, and, dumb and silent, we may be led, like sheep, to the slaughter. I cannot, in justice to my own belief, and what I have great reason to conceive is the intention of Congress, conclude this address, without giving it as my decided opinion, that, that honorable body entertain exalted sentiments of the services of the army, and from a full conviction of its merits and sufferings, will do it complete justice: that their endeavours to discover and establish funds for this purpose have been unwearied, and will not cease till they have succeeded, I have not a doubt.

But, like all other large bodies, where there is a variety of different interests to reconcile, their determinations are slow. Why then should we distrust them? And, in consequence of that distrust, adopt measures which may cast a shade over that glory which has been so justly acquired, and tarnish the reputation of an army which is celebrated through all Europe for its fortitude and patriotism? And for what is this done? To bring the object we seek nearer? No, most certainly, in my opinion, it will cast it at a greater distance. For myself, and I take no merit in giving the assurance, being induced to it from principles of gratitude, veracity and justice, a grateful sense of the confidence you have ever placed in me, a recollection of the cheerful assistance and prompt obedience I have experienced from you, under every vicissitude of fortune, and the sincere affection I feel for an army I have so long had the honor to command, will oblige me to declare, in this public and solemn manner, that in the attainment of complete justice for all your toils and dangers, and in the gratification of every wish, so far as may be done consistently with the great duty I owe my country, and those powers we are bound to respect, you may freely command my services to the utmost extent of my abilities.

While I give you these assurances, and pledge myself in the most unequivocal manner, to exert whatever ability I am possessed of in your favour, let me entreat you, gentlemen, on your part, not to take any measures, which, viewed in the calm light of reason, will lessen the dignity, and sully the glory you have hitherto maintained.—Let me request you to rely on the plighted faith of your country, and place a full confidence in the purity of the intentions of Congress; that, previous to your dissolution as an army, they will cause all your accounts to be fairly liquidated, as directed in the resolutions which were published to you two days ago; and that they will adopt the most effectual measures in their power to render ample justice to you for your faithful and meritorious services. And let me conjure you, in the name of our common country, as you value your own sacred honor, as you respect the rights of humanity, and as you regard the military and national character of America, to express your utmost horror and detestation of the man, who wishes, under any specious pretences, to overturn the liberties of our country; and who wickedly attempts to open the flood-gates of civil discord, and deluge our rising empire in blood.

By thus determining, and thus acting, you will pursue the plain and direct road to the attainment of your wishes; you will defeat the



infidious designs of our enemies, who are compelled to resort from open force to secret artifice. You will give one more distinguished proof of unexampled patriotism and patient virtue, rising superior to the pressure of the most complicated sufferings: and you will, by the dignity of your conduct, afford occasion for posterity to say, when speaking of the glorious example you have exhibited to mankind—"had this day been wanting, the world had never seen the last stage of perfection to which human nature is capable of attaining."

His excellency having withdrawn, on motion by general Knox, seconded by general Putnam,

*Resolved*, That the unanimous thanks of the officers of the army be presented to his excellency the commander in chief, for his excellent address, and the communication he has been pleased to make them; and that he be assured that the officers reciprocate his affectionate expressions, with the greatest sincerity of which the human mind is capable.

The address from the army to Congress—the report of the committee from the army—and the resolutions of Congress of 25th January, being read,

On motion by general Putnam, seconded by general Hand,

Voted, That a committee be appointed immediately to draw up some resolutions expressive of the business before us, and to report in half an hour; that this committee consist of one general-officer, one field-officer and one captain; and that general Knox, colonel Brooks and captain Howard, compose the said committee.

The report of the committee being brought in, and fully considered,

*Resolved unanimously*, That, at the commencement of the present war, the officers of the American army engaged in the service of their country from the purest love and attachment to the rights and liberties of human nature, which motives still exist in the highest degree; and that no circumstances of distress or danger shall induce a conduct that may tend to sully the reputation and glory which they have acquired, at the price of their blood and eight years faithful services.

*Resolved unanimously*, That the army continue to have an unshaken confidence in the justice of Congress and their country, and are fully convinced that the representatives of America will not disband or disperse the army until their accounts are liquidated, the balances accurately ascertained, and adequate funds established for payment, and, in this arrangement, the officers expect that the half-pay, or a commutation of it, should be efficaciously comprehended.

*Resolved unanimously*, That his excellency the commander in chief be requested to write to his excellency the president of Congress, earnestly entreating the most speedy decision of that honorable body, upon the subjects of our late address, which was forwarded by a committee of the army, some of whom are waiting upon Congress for the result. In the alternative of peace or war, this event would be highly satisfactory, and would produce immediate tranquility in the minds of the army, and prevent any further machinations of designing men, to sow discord between the civil and military powers of the United States.

On motion, *Resolved unanimously*, That the officers of the American army, view with abhorrence, and reject with disdain, the infamous



propositions contained in a late anonymous address to the officers of the army ; and resent, with indignation, the secret attempts of some unknown persons to collect the officers together, in a manner totally subversive of all discipline and good order.

*Resolved unanimously*, That the thanks of the officers of the army be given to the committee who presented to Congress the late address of the army, for the wisdom and prudence with which they have conducted that business ; and that a copy of the proceedings of this day be transmitted by the president to major-general M'Dougall ; and that he be requested to continue his solicitations at Congress, until the objects of his mission are accomplished.

The meeting was then dissolved.

HORATIO GATES, *Major-General, President.*

MONDAY, April 28, 1783.

The committee, consisting of Mr. Osgood, Mr. Bland, Mr. Hamilton, Mr. Madison and Mr. Peters, appointed to confer with the superintendant of finance respecting his continuance in office, report,

"That they have conferred with him accordingly ; and that the substance of the conference was, on the part of Mr. Morris, as follows:

"That his continuance in office was highly injurious to his private affairs, and contrary to his private inclinations ; but that he felt the importance of the exertions necessary to be made at the present juncture, towards the reduction of the army in a manner satisfactory to them and convenient to the public ; that, therefore, if Congress should think his services, towards effecting that object, of importance, and should desire them, he would be ready to continue them till arrangements for that purpose could be made, and the engagements taken by him in consequence, as well as those already entered into, could be finally completed ; that in this case he should hope for the support of Congress : " whereupon,

*Resolved*, That the superintendant of finance be informed, that Congress are of opinion the public service requires his continuance in office till arrangements for the reduction of the army can be made, and the engagements that shall be taken by him in consequence, as well as those already entered into, shall be finally completed.

WEDNESDAY, April 30, 1783.

A motion was made by Mr. Wilson, seconded by Mr. Hamilton, as follows :

"Whereas it is of importance in every free country, that the conduct and sentiments of those to whom the direction of public affairs is committed, should be publicly known ; resolved, that in future the doors of Congress shall be open, unless otherwise ordered by a vote or by the rules of the house."

A motion was made by Mr. Williamson, seconded by Mr. White, to postpone the foregoing motion, in order to consider the following :

"That as soon as Congress shall have fixed on some place where they may propose to continue their residence, and where they may have some kind of jurisdiction without being exposed to the influence



of any particular state, it may be proper to determine whether the doors of Congress shall be open :"

And on the question for postponing for the purpose above-mentioned, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	ay	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	no		
	Mr. <i>Osgood,</i>	no	}	no
	Mr. <i>Higginson,</i>	no		
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	ay	}	divided.
	Mr. <i>Arnold,</i>	no		
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	no	}	divided.
	Mr. <i>Dyer,</i>	ay		
<i>New-York,</i>	Mr. <i>Hamilton,</i>	no	}	*
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	no		
	Mr. <i>Clark,</i>	no	}	no
	Mr. <i>Condict,</i>	no		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	no	}	no
	Mr. <i>Wilson,</i>	no		
	Mr. <i>Peters,</i>	no	}	no
<i>Maryland,</i>	Mr. <i>Carroll,</i>	no		
	Mr. <i>Hemsley,</i>	no	}	no
<i>Virginia,</i>	Mr. <i>Jones,</i>	no		
	Mr. <i>Bland,</i>	no	}	no
	Mr. <i>A. Lee,</i>	no		
	Mr. <i>Mercer,</i>	no	}	ay
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay		
	Mr. <i>Williamson,</i>	ay	}	no
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	no		
	Mr. <i>Izard,</i>	no	}	no
	Mr. <i>Gervais,</i>	no		

So it passed in the negative.

A motion was then made by Mr. Wilson, seconded by Mr. Hamilton, to amend the original motion by striking out the words "unless otherwise ordered by a vote, or by the rules of the house," and inserting in lieu thereof, the words "subject to such rules as shall be hereafter determined for that purpose :"

And on the question to agree to this amendment, the yeas and nays being required by Mr. Hamilton,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	no	}	*
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	no		
	Mr. <i>Osgood,</i>	ay	}	ay
	Mr. <i>Higginson,</i>	ay		
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	no	}	no
	Mr. <i>Arnold,</i>	no		
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	no	}	no
	Mr. <i>Dyer,</i>	no		
<i>New-York,</i>	Mr. <i>Hamilton,</i>	ay	}	*
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	ay		
	Mr. <i>Clark,</i>	no	}	no
	Mr. <i>Condict,</i>	no		



<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Wilson,</i>	<i>ay</i>	
	Mr. <i>Peters,</i>	<i>ay</i>	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Hemsley,</i>	<i>ay</i>	
	Mr. <i>Bland,</i>	<i>no</i>	
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>no</i>	} *
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	
<i>South-Carolina,</i>	Mr. <i>Williamson,</i>	<i>no</i>	
	Mr. <i>Rutledge,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>	
	Mr. <i>Gervais,</i>	<i>no</i>	

So it passed in the negative.

On the question to agree to the main question, the yeas and nays being required by Mr. Willson,

<i>New-Hampshire,</i>	Mr. <i>White,</i>	<i>no</i>	} *
	Mr. <i>Holten,</i>	<i>no</i>	
	Mr. <i>Osgood,</i>	<i>no</i>	
<i>Massachusetts,</i>	Mr. <i>Gorham,</i>	<i>ay</i>	} <i>no</i>
	Mr. <i>Higginson,</i>	<i>no</i>	
	Mr. <i>Collins,</i>	<i>no</i>	
	Mr. <i>Arnold,</i>	<i>no</i>	
<i>Rhode-Island,</i>	Mr. <i>Ellsworth,</i>	<i>no</i>	} <i>no</i>
<i>Connecticut,</i>	Mr. <i>Dyer,</i>	<i>no</i>	
<i>New-York,</i>	Mr. <i>Hamilton,</i>	<i>ay</i>	} *
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	
<i>Pennsylvania,</i>	Mr. <i>Clark,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>	
	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	
	Mr. <i>Wilson,</i>	<i>ay</i>	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>no</i>	} <i>no</i>
<i>Virginia,</i>	Mr. <i>Hemsley,</i>	<i>no</i>	
	Mr. <i>Bland,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>Mercer,</i>	<i>no</i>	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	} <i>no</i>
<i>South-Carolina,</i>	Mr. <i>Williamson,</i>	<i>no</i>	
	Mr. <i>Rutledge,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>	
	Mr. <i>Gervais,</i>	<i>no</i>	

So it passed in the negative.

On a report of a committee, consisting of Mr. Peters, Mr. Floyd and Mr. Ellsworth, to whom was referred a letter of the 24th, from colonel T. Tilghman :

*Ordered,* That the letter of Mr. Tilghman be referred to the superintendent of finance to take order thereon.

On the report of a committee, consisting of Mr. Williamson, Mr. Dyer and Mr. Condict, to whom was referred a letter of the 22d from the superintendent of finance, together with a memorial of J. D. Alvey :

*Resolved,* That the comptroller be directed to settle the accounts of Mr. John Durham Alvey, for money he is engaged to pay to certain



post-riders whom he was authorized to hire at head-quarters ; and that the post-master-general be directed immediately to pay Mr. Alvey the balance due on those accounts :

That the post-master-general be also directed to pay to Mr. Alvey the balance due him for pay, as post-master at head-quarters, as soon as the revenue of the post-office will admit of such disbursements, with the interest of six per cent. from the time when this account shall be settled.

On the report of a committee, consisting of Mr. Hemmley, Mr. Hawkins, and Mr. Fitzsimmons, to whom was referred an account of John Sandford Dart :

*Resolved*, That the comptroller be, and he is hereby authorized and directed to adjust the account of John Sandford Dart up to the 23d of August last, as auditor to the southern army, as he continued in service till that period.

On a report from the superintendant of finance, to whom was referred a letter of the 17th from Darius Stoddard :

*Ordered*, That the commissioner for settling the accounts of the hospital department, adjust and liquidate those of Dr. Darius Stoddard.

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THURSDAY, May 1, 1783.

On motion of Mr. A. Lee, seconded by Mr. Condict,

*Resolved*, That when a member takes any paper from the files of Congress, he shall leave a receipt for the same in the office.

A letter having been read from the minister of France to the secretary for foreign affairs, requesting him to inform Congress of the proposed departure of the duke de Lauzun's legion and other detachments of count Rochambeau's army for France ; and expressing, with the duke de Lauzun, the sense that he and the other officers and men of this army entertain of the harmony which has subsisted between them and the inhabitants of these states, and of the hospitality with which they have been treated by them :

*Resolved*, That the secretary for foreign affairs inform the minister of France, that Congress learn with pleasure the satisfaction which the duke de Lauzun, and the officers and men of the French army in America express, in the harmony which has subsisted between them and the inhabitants of these states, since it exhibits at the same time, a strong proof of the good disposition and discipline of the commanders, officers and men, and the just sense the people of this country entertain of the important services they have rendered.

As a further testimony of which,

*Resolved*, That the secretary for foreign affairs, inform the duke de Lauzun, and the officers and men under his command, that the United States in Congress assembled, are highly sensible of their successful exertions in the cause of America, and of the strict attention which they have at all times paid to the rights of its citizens ; and while they rejoice at the events which have brought tranquility to these states, it adds to their pleasure, to reflect, that it restores those who have been active in procuring it to their friends and their country.

On the report of a committee, consisting of Mr. Gorham, Mr.



Fitzsimmons and Mr. Holten, to whom was referred a memorial from Mr. Hawkins and Mr. Williamson :

*Ordered*, That the secretary for foreign affairs, forward to the British general and admiral commanding at New-York, a copy of the papers laid before Congress by Mr. Hawkins and Mr. Williamson, delegates from the state of North-Carolina, respecting the capture of a flag, that justice may be done.

Congress resumed the consideration of the report of the committee on the memorial of Oliver Pollock ; whereupon,

On motion of Mr. Rutledge,

*Resolved*, That Oliver Pollock be allowed 5000 dollars as a compensation for his extraordinary services.

*Ordered*, That the remainder of the report be re-committed.

On a report of the secretary at war, to whom was referred a letter from president Dickinson to the delegates of Pennsylvania :

*Resolved*, That the secretary at war take the most effectual measures to inform the several Indian nations, on the frontiers of the United States, that preliminary articles of peace have been agreed on, and hostilities have ceased with Great-Britain, and to communicate to them that the forts within the United States, and in possession of the British troops, will speedily be evacuated ; intimating also that the United States are disposed to enter into friendly treaty with the different tribes ; and to inform the hostile Indian nations, that unless they immediately cease all hostilities against the citizens of these states, and accept of these friendly proffers of peace, Congress will take the most decided measures to compel them thereto.

*Ordered*, That the secretary at war transmit the proceedings of Congress herein, with copies of president Dickinson's and general Irwine's letters, to the commander in chief and to the commissioners for Indian affairs in the northern-department.

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FRIDAY, May 2, 1783.

On the report of a committee, to whom was re-committed the remainder of their report on the memorial of Oliver Pollock :

*Resolved*, That the superintendant of finance inform himself, as soon as may be, whether the governor or treasurer of New-Orleans hold the United States accountable for 74,087 dollars, supplied by a former governor to Oliver Pollock, and by him charged to these United States : that in the mean time no part of the balance which shall appear to be due to the said O. Pollock, over and above the aforesaid sum of 74,087 dollars, shall be detained from him on account of the resolution of the 7th day of November, 1781 ; and that the superintendant of finance take order for payment of the said balance, as soon as the situation of the finances will permit.

On the report of a committee, consisting of Mr. Bland, Mr. Hamilton and Mr. Peters, to whom were referred a memorial of major Villefranché and captain L'Enfant, and a memorial of lieutenant-colonel Cambray.

*Resolved*, That lieutenant-colonel Cambray, of the corps of engineers, be promoted to the rank of colonel by brevet.

That major Villefranche, of the said corps, be promoted to the rank



of lieutenant-colonel by brevet ; and that captain L'Enfant, of the said corps, be promoted to the rank of major by brevet.

On motion of Mr. Hamilton, seconded by Mr. Willson :

“Whereas it is the desire of Congress, when the reduction of the army shall take place, to enable the officers and soldiers to return to their respective homes with convenience and satisfaction ; for which purpose it will be indispensable to advance them a part of their pay before they leave the field : and whereas, at the present juncture, there are many other engagements for which the public faith is pledged, and the punctual performance of which is essential to the credit of the United States ; neither of which important objects can be effected without the vigorous exertions of the several states in the collection of taxes ; therefore,

*Resolved*, That the respective states be called upon in the most earnest manner to make every effort in their power to forward the collection of taxes, that such a sum may without delay be paid into the common treasury, as will be adequate to the public exigencies ; and that Congress confidently rely for an immediate and efficacious attention to the present requisition upon the disposition of their constituents, not only to do justice to those brave men who have suffered and sacrificed so much in the cause of their country, and whose distresses must be extreme, should they be sent from the field without the payment of a part of their well earned dues ; but also to enable Congress to maintain the faith and reputation of the United States, both which are seriously concerned in relieving the necessities of a meritorious army, and fulfilling the public stipulations.

*Resolved*, That the superintendant of finance be directed to take the necessary arrangements for carrying the views of Congress into execution ; and that he be assured of their firm support towards fulfilling the engagements he has already taken, or may take on the public account during his continuance in office.

On the report of a committee, consisting of Mr. Williamson, Mr. Izard and Mr. Madison, to whom were referred sundry papers and memorials on the subject of literary property :

*Resolved*, That it be recommended to the several states, to secure to the authors or publishers of any new books not hitherto printed, being citizens of the United States, and to their executors, administrators and assigns, the copy-right of such books for a certain time, not less than 14 years from the first publication ; and to secure to the said authors, if they shall survive the term first mentioned, and to their executors, administrators and assigns, the copy-right of such books for another term of time not less than 14 years, such copy or exclusive right of printing, publishing and vending the same, to be secured to the original authors, or publishers, their executors, administrators and assigns, by such laws and under restrictions as to the several states may seem proper.

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WEDNESDAY, May 7, 1783.

On the report of a committee, consisting of Mr. A. Lee, Mr. Williamson and Mr. Clark, to whom was referred a motion for an indemnification for acts done in the execution of military operations :



*Resolved*, That it be recommended to the legislatures of the several states, to pass laws indemnifying all officers of the army of the United States, for damages which individuals may have sustained by any act or proceeding of such officers, which the execution of military operations may have rendered necessary.

On the report of a committee, consisting of Mr. Clark, Mr. Mifflin and Mr. Williamson, to whom was referred a letter of the 6th, from the secretary at war :

*Resolved*, That the secretary at war, be directed to cause the accounts for subsistence-money due to officers of the army of the United States, who were prisoners at war at the time hostilities ceased between the United States of America and Great-Britain, to be settled up to the first day of this present month.

The committee, consisting of Mr. Higginson, Mr. Clark and Mr. Gervais, to whom was referred a motion of Mr. Dyer, report,

“ That such of the states as have settled with the officers and soldiers of their respective lines, for their pay in the army of the United States since the first day of August, 1780, be requested to exhibit the accounts of such payments, with proper vouchers, shewing the periods to which they have settled with their several lines and the manner in which such payments were made, and the superintendant of finance is hereby directed, upon the receipt of such accounts, vouched as afore-said, to give to such states public securities, payable in the same manner and for the same sums as would have been otherwise given to the officers and soldiers of such lines for their pay, from the said 1st day of August, 1780, to the time when they were so paid by their respective states :”

On the question to agree to the said report, the yeas and nays being required by Mr. Dyer,

<i>New-Hampshire,</i>	Mr. White,	ay	} *
<i>Massachusetts,</i>	Mr. Gorham,	ay	
	Mr. Higginson,	ay	
<i>Rhode-Island,</i>	Mr. Collins,	ay	} ay
	Mr. Arnold,	ay	
<i>Connecticut,</i>	Mr. Ellsworth,	ay	} ay
	Mr. Dyer,	ay	
<i>New-York,</i>	Mr. Hamilton,	no	} *
<i>New-Jersey,</i>	Mr. Boudinot,	ay	
	Mr. Clark,	ay	} ay
	Mr. Conduct,	ay	
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	} divided.
	Mr. Fitzsimmons,	no	
<i>Virginia,</i>	Mr. Madison,	no	} no
	Mr. Bland,	no	
	Mr. Lee,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} no
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Rutledge,	no	} no
	Mr. Izard,	no	
	Mr. Gervais,	no	

So the question was lost.



THURSDAY, May 8, 1783.

Mr. J. Montgomery, a delegate for Pennsylvania, returned, and took his seat.

The delegates for Virginia laid before Congress a letter of the 3d, from Thomas Walke; and the same being read,

On motion of Mr. Bland, seconded by Mr. Williamson,

*Ordered*, That a copy of the said letter be transmitted to the commander in chief, for his information in carrying into effect the resolution of the 15th of April last.

FRIDAY, May 9, 1783.

On motion of Mr. Madison, seconded by Mr. Holten,

*Resolved*, That the president, at the time of transmitting to the executive authorities of the several states copies of the recommendations of Congress of the 18th of April last, and the address of the 26th of the same month, inform them, that it is the earnest desire of Congress that such of the legislatures as are neither sitting, nor about to sit in a short time, may be convened with all-possible expedition.

MONDAY, May 12, 1783.

The committee, consisting of Mr. Hamilton, Mr. Madison, Mr. Osgood, Mr. Ellsworth and Mr. Wilson, to whom was referred a letter of the 3d from the commander in chief, having brought in a report, and the same having been debated and amended on Friday last, and the determination thereof postponed by the state of Virginia, a question was now taken, whereupon,

*Resolved*, That the commander in chief be directed whenever the frontier posts in these United States shall be evacuated pursuant to the articles of peace, to place therein, of the troops under his command, who have enlisted for three years, and whose term of service may not then have expired, such force as he may judge necessary to secure and hold the same, until further measures can be taken for the security of them, or such of them as it may be necessary to continue to support, provided it does not exceed the term of nine months; and that he take measures for exchanging with the British, or transporting artillery, stores and provisions, that he may judge necessary for that purpose; and the superintendant of finance is directed to afford all the assistance in his department which circumstances will permit:

On the question to agree to this, the yeas and nays being required by Mr. Mercer,

New-Hampshire,	Mr. White,	ay	}	*
Massachusetts,	Mr. Holten,	ay		
	Mr. Gorham,	ay	}	ay
	Mr. Higginson,	ay		
Rhode-Island,	Mr. Collins,	ay	}	ay
	Mr. Arnold,	ay		
Connecticut,	Mr. Ellsworth,	ay	}	ay
	Mr. Dyer,	ay		
New-York,	Mr. Hamilton,	ay	}	*
New-Jersey,	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay



Pennsylvania,	Mr. Wilson,	ay	} ay
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
Maryland,	Mr. Carroll,	ay	} ay
	Mr. Hemsley	ay	
Virginia,	Mr. Bland,	no	} no
	Mr. A. Lee,	no	
	Mr. Mercer,	no	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Rutledge,	ay	} ay
	Mr. Izard,	ay	
	Mr. Gervais,	ay	

So it passed in the affirmative.

On motion, *Resolved*, (by nine states) That the superintendant of finance be directed to pay to the officers who were deputed by the army to present their memorial to Congress, and also to major Judd, attending Congress on his last memorial, presented the 8th of January last, in behalf of the deranged officers, whatever may have been their reasonable expenses during their stay in town, until the commutation for half-pay was agreee to by Congress.

On the report of a committee, consisting of Mr. Higginson, Mr. Hawkins and Mr. Mercer, to whom was referred a memorial of Erasmus Gill:

*Resolved*, (by nine states) That the accounts of captain Erasmus Gill be liquidated and adjusted, and that the superintendant of finance take order to replace the money which captain Gill may prove to have been necessarily expended by him for the support of himself and officers, on his march from Savannah to Lancaster.

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WEDNESDAY, May 14, 1783.

Mr. Benjamin Hawkins and Mr. H. Williamson, two of the delegates of North-Carolina, attending, produced credentials dated 27th day of April, 1783, by which it appears, that Benjamin Hawkins, Hugh Williamson, Abner Nash and Richard Dobbs Spaight, Esqrs; were duly elected and appointed to represent the said state for one year, from the 13th day of May, 1783.

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THURSDAY, May 15, 1783.

On the report of a committee, consisting of Mr. Ellsworth, Mr. Williamson and Mr. Gervais, to whom was referred a motion of the delegates of the state of Rhode-Island:

*Resolved*, That the claim of the officers of a brigade raised in the state of Rhode-Island and Providence Plantations in February, 1779, for one year, with the approbation of Congress, for depreciation of their pay is inadmissible, no allowance of that kind having been made or approved by Congress, to any officers or soldiers discharged from service before the 10th of April, 1780.

*Ordered*, That the accounts of major J. Flagg and J. Flagg, jun. for their services in the department of military-stores, be referred to the secretary at war to report thereon; and, that the remainder of the report be re-committed.

On motion of Mr. Bland, seconded by Mr. Holten:



*Resolved*, That in future, when small committees are to be appointed, the members shall ballot at their seats, and a member for each state shall put their ballot into a box which shall stand on the table, and when all the states present have balloted, the secretary shall take out the ballots and deliver them to the president, who shall note down the number for each person, and declare their names distinctly.

FRIDAY, May 16, 1783.

On the report of a committee, consisting of Mr. Clark, Mr. Ellsworth and Mr. Izard, to whom was referred a memorial from the chaplains, respecting their half-pay and commutation in lieu thereof:

*Resolved*, That the commutation in lieu of half-pay, as well to chaplains as to the officers of the hospital-department and medical staff, shall be calculated by what they are respectively entitled to, agreeably to the resolutions of the 17th of Jan. and 8th of May, 1781.

On the report of a committee, consisting of Mr. Williamson, Mr. Carroll and Mr. Osgood, to whom was referred so much of a letter of the 11th June, 1781, from the hon. Dr. Franklin, and of a letter of the 4th of October, 1781, from the hon. J. Adams, as respects allowances to be made to the ministers of the United States at foreign courts.

*Resolved*, That the payment of couriers and the postage of letters shall be charged to the United States by their ministers at foreign courts, as contingent expenses, and shall be allowed as such, exclusive of their salaries.

FRIDAY, May 23, 1783.

The committee, consisting of Mr. Hamilton, Mr. Peters and Mr. Gorham, to whom was referred a letter of the 9th, from the superintendant of finance and secretary at war, in order to confer with them on the resolutions of the 7th and 28th of April, and 2d inst. report, "that all the non-commissioned officers and soldiers in the service of the United States, enlisted to serve during the war, be discharged; and that the secretary at war and commander in chief take the proper measures for doing this, in a manner most convenient to the soldiery, and to the inhabitants, having the men previously conducted, under proper officers, to their respective states; and that they be at the same time authorized, to retain as many officers as they may judge necessary to command the men who still continue in service, permitting the others to retire.

A motion was made by Mr. Madison, seconded by Mr. Carroll, "that the report be re-committed:"

And on the question for re-commitment, the yeas and nays being required by Mr. Dyer,

Massachusetts,	Mr. Holten,	ay	} ay
	Mr. Gorham,	ay	
	Mr. Higginson,	ay	
Rhode-Island,	Mr. Collins,	no	} no
	Mr. Arnold,	no	
Connecticut,	Mr. Ellsworth,	no	} no
	Mr. Dyer,	no	



<i>New-York,</i>	Mr. <i>Hamilton,</i>	<i>no</i> }	*
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i> }	<i>no</i>
	Mr. <i>Clark,</i>	<i>no</i> }	
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i> }	<i>divided.</i>
	Mr. <i>Wilson,</i>	<i>no</i> }	
	Mr. <i>Montgomery,</i>	<i>ay</i> }	
	Mr. <i>Peters,</i>	<i>ay</i> }	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Hemsley,</i>	<i>ay</i> }	
<i>Virginia,</i>	Mr. <i>Madison,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Bland,</i>	<i>ay</i> }	
	Mr. <i>Mercer,</i>	<i>ay</i> }	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i> }	
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i> }	<i>ay</i>
	Mr. <i>Izard,</i>	<i>ay</i> }	
	Mr. <i>Gervais,</i>	<i>ay</i> }	

So the question was lost.

A motion was then made by Mr. Williamson, seconded by Mr. Carroll, to postpone the report, in order to take up the following motion :

“ That the commander in chief be instructed to grant furloughs to the non-commissioned officers and soldiers in the service of the United States, enlisted to serve during the war, who shall be discharged as soon as the definitive treaty of peace is concluded, together with a proportionable number of commissioned officers of the different grades ; and that the secretary at war and commander in chief, take the proper measures for conducting those troops to their respective homes, in such a manner as may be most convenient to themselves, and to the states through which they may pass, and that the men thus furloughed be allowed to take their arms with them, the resolution of the 23d of April, to the contrary notwithstanding : ”

On the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Dyer,

<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i> }	<i>no</i>
	Mr. <i>Gorham,</i>	<i>no</i> }	
	Mr. <i>Higginson,</i>	<i>no</i> }	
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	<i>no</i> }	<i>divided.</i>
	Mr. <i>Arnold,</i>	<i>ay</i> }	
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	<i>ay</i> }	<i>divided.</i>
	Mr. <i>Dyer,</i>	<i>no</i> }	
<i>New-York,</i>	Mr. <i>Hamilton,</i>	<i>no</i> }	*
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i> }	<i>no</i>
	Mr. <i>Clark,</i>	<i>no</i> }	
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i> }	<i>divided.</i>
	Mr. <i>Wilson,</i>	<i>no</i> }	
	Mr. <i>Montgomery,</i>	<i>ay</i> }	
	Mr. <i>Peters,</i>	<i>ay</i> }	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i> }	<i>ay</i>
	Mr. <i>Hemsley,</i>	<i>ay</i> }	



Virginia,	Mr. Madison,	ay	} ay
	Mr. Bland,	ay	
	Mr. Mercer,	no	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Rutledge,	no	} no
	Mr. Izard,	no	
	Mr. Gervais,	no	

So the question was lost.

On the question to agree to the report, the yeas and nays being required by Mr. Hamilton,

Massachusetts,	Mr. Holten,	ay	} ay
	Mr. Gorham,	ay	
	Mr. Higginson,	ay	
Rhode-Island,	Mr. Collins,	ay	} divided.
	Mr. Arnold,	no	
Connecticut,	Mr. Ellsworth,	ay	} ay
	Mr. Dyer,	ay	
New-Jersey,	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
Pennsylvania,	Mr. Fitzsimmons,	ay	} divided.
	Mr. Wilson,	ay	
	Mr. Montgomery,	no	
Maryland,	Mr. Peters,	no	} no
	Mr. Carroll,	no	
	Mr. Hemsley,	no	
Virginia,	Mr. Madison,	no	} no
	Mr. Bland,	no	
North-Carolina,	Mr. Mercer,	no	} no
	Mr. Hawkins,	no	
	Mr. Williamson,	no	
South-Carolina,	Mr. Rutledge,	no	} no
	Mr. Izard,	no	
	Mr. Gervais,	no	

So the question was lost.

MONDAY, May 26, 1783.

On the report of a committee, consisting of Mr. Gorham, Mr. Fitzsimmons and Mr. Hawkins, to whom was referred a letter of the 15th, from the superintendant of finance, announcing the decease of Robert Smith, late agent from the United States at the port of Havannah:

*Resolved*, That another agent be appointed for that service:

*Ordered*, That to-morrow be assigned for the election.

On motion of Mr. Hamilton, seconded by Mr. Izard.

Whereas by the articles agreed upon on the 30th of November last, by and between the commissioners of the United States of America for making peace, and the commissioner on the part of his Britannic majesty, it is stipulated that his Britannic majesty shall with all convenient speed, and without causing any destruction, or carrying away any Negroes or other property of the American inhabitants, withdraw all his



armies, garrisons and fleets from the said United States, and from every port, place and harbour within the same: and whereas a considerable number of Negroes belonging to the citizens of these states, have been carried off therefrom, contrary to the true intent and meaning of the said articles:

*Resolved*, That copies of the letters between the commander in chief and sir Guy Carleton, and other papers on this subject, be transmitted to the ministers plenipotentiary of these states for negotiating a peace in Europe; and that they be directed to remonstrate thereon to the court of Great-Britain, and take proper measures for obtaining such reparation as the nature of the case will admit.

*Ordered*, That a copy of the foregoing resolve be transmitted to the commander in chief; and that he be directed to continue his remonstrances to sir Guy Carleton, respecting the permitting Negroes belonging to the citizens of these states to leave New-York, and to insist on the discontinuance of that measure.

On motion of Mr. Hamilton, seconded by Mr. Higginson,

*Resolved*, That the commander in chief be instructed to grant furloughs to the non-commissioned officers and soldiers in the service of the United States, enlisted to serve during the war, who shall be discharged as soon as the definitive treaty of peace is concluded, together with a proportionable number of commissioned officers of the different grades; and that the secretary at war and commander in chief take the proper measures for conducting those troops to their respective homes, in such a manner as may be most convenient to themselves, and to the states through which they may pass; and that the men thus furloughed be allowed to take their arms with them.

On motion of Mr. Williamson, seconded by Mr. Hawkins,

*Resolved*, That the commanding-officer in the southern-department be also instructed to grant furloughs to the troops under his command, from the state of North-Carolina, who have been enlisted to serve for the term of 18 months, together with a proportionable number of commissioned-officers of the different grades; and that the secretary at war, in conjunction with the commanding-officer, take measures for conducting such troops to their respective homes.

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THURSDAY, May 29, 1783.

On motion of Mr. Hamilton, seconded by Mr. Clark,

*Resolved*, That general Washington be informed, in answer to his letter of the 14th, that it is the desire of Congress, the evacuation of New-York and its dependencies may not be retarded by a preference to that of any other place.

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FRIDAY, May 30, 1783.

Mr. Richard Beresford, a delegate for South-Carolina, attended, and produced the credentials of his appointment, by which it appears, that on the 15th of March last he was duly elected.

The committee, consisting of Mr. Hamilton, Mr. Ellsworth, Mr. Izard, Mr. Madison and Mr. Hawkins, appointed to take into consideration and report to Congress what further steps are proper to be taken by them for carrying into effect the stipulations contained in the articles between the United States and Great-Britain, dated the 30th day of November last, having reported as follows:



“Whereas by the treaty entered into at Paris, on the 30th day of November last, between the commissioners for making peace on the part of the United States, and the commissioner for making peace on the part of his Britannic majesty, it is stipulated, among other things, in the 4th, 5th and 6th articles, as follows :

Art. 4. It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all *bona fide* debts heretofore contracted.

Art. 5. It is agreed, that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his majesty's arms, and who have not borne arms against the said United States ; and that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties as may have been confiscated. And that Congress shall also earnestly recommend to the several states, a re-consideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession, the *bona fide* price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties since the confiscation.

And it is agreed, that all persons who may have any interest in confiscated lands, either by debts, marriage settlements or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

Art. 6. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons, for, or by reason of the part which he or they may have taken in the present war ; and that no person shall on that account, suffer any future loss or damage, either in his person, liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecution so commenced be discontinued.

And whereas, Congress are desirous of giving speedy and full effect to all the stipulations in the said treaty on the part of the United States, and of accelerating thereby the blessings of peace, in confidence, that the conduct of his Britannic majesty will be governed by a like disposition ; therefore,

*Resolved*, That the several states be required, and they are hereby required to remove all obstructions which may interpose in the way of the entire and faithful execution of the 4th and 6th articles above recited. And that it be at the same time earnestly recommended to them, to take into serious consideration the 5th article also above re-



cited, and to conform to the several matters therein contained, with that spirit of moderation and liberality, which ought ever to characterise the deliberations and measures of a free and enlightened nation."

A motion was made by Mr. Peters, seconded by Mr. Izard, that the said report be committed,

And on the question for commitment, the yeas and nays being required by Mr. Hamilton,

<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Gorham,	ay		
<i>Rhode-Island,</i>	Mr. Collins,	ay	}	ay
	Mr. Arnold,	ay		
<i>New-York,</i>	Mr. Hamilton,	no	}	*
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay
	Mr. Conduct,	ay		
<i>Pennsylvania,</i>	Mr. Mifflin,	ay	}	
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay	}	ay
	Mr. Peters,	ay		
	Mr. Montgomery,	ay	}	
<i>Delaware,</i>	Mr. M <sup>c</sup> Comb,	ay		
	Mr. Bedford,	ay	}	ay
<i>Virginia,</i>	Mr. Madison,	ay		
	Mr. Bland,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Beresford,	ay	}	

So it was resolved in the affirmative.

On motion of Mr. Bland, seconded by Mr. Hawkins :

*Resolved*, That no commercial agent of the United States in foreign ports shall be entitled to a salary, unless such salary is expressed in the resolution appointing the agent.

Congress proceeded to the election of a commercial agent of the United States, at the port of Havanna, and, the ballots being taken,

Mr. Oliver Pollock was elected, having been previously nominated by Mr. Clark.

— ❁ —  
MONDAY, June 2, 1783.

*Ordered*, That a commission be issued to Oliver Pollock, as commercial agent of the United States at the Havanna.

The form of a commission being prepared at the table, was agreed to.

On the report of a committee, consisting of Mr. Fitzsimmons, Mr. Peters and Mr. Holten, to whom was re-committed their report on a motion of Mr. Holten, respecting bonds given by commanders of private armed vessels :

*Resolved*, That the agent of marine, for the time being, be, and he is hereby authorized and directed, whensoever complaints are exhibi-



ted of public abuses or private injuries committed by the captains or commanders of any privateers or armed vessels sailing under the authority of the United States, to cause such legal measures for obtaining redress, by means of the bonds given on taking out commissions for such privateers or armed vessels, for any abuses or injuries contrary to their instructions, or in violation of the maritime ordinances of the United States, or the laws and customs of nations as to justice appertains; all prosecutions for private injuries upon said bonds to be at the risque and expense of the complainants, or the persons said to be aggrieved.

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TUESDAY, June 3, 1783.

A letter, of the 31st of May, from W. Geddes, one of the auditors at the treasury, was read, desiring leave to resign; whereupon,

*Resolved*, That the resignation of Mr. William Geddes be accepted, and that he be informed, that Congress are well satisfied with his diligence and fidelity in the discharge of the duties of his late office.

On the report of a committee, consisting of Mr. Clark, Mr. Peters and Mr. Williamson, to whom was referred a memorial of colonel John Allan:

*Resolved*, That colonel John Allan, superintendant of Indian affairs for the eastern-department, be re-appointed to that office, and that a commission be issued to him according to the tenor of the draught reported by the committee.

*Ordered*, That so much of the memorial of colonel John Allan, superintendant of Indian affairs for the eastern-department, as relates to compensation for services, and his request to be enabled to discharge the debts due to the Indians, by virtue of his necessary stipulations in behalf of the United States, be referred to the superintendant of finance to take order.

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WEDNESDAY, June 4, 1783.

The committee, consisting of Mr. Rutledge, Mr. Bedford, Mr. Carroll, Mr. Higginson and Mr. Wilson, to whom was referred a motion of Mr. Bland, for accepting the cession of territory made by the legislature of the commonwealth of Virginia, on the 2d of January, 1781, report, that in their opinion, it will be proper for Congress to proceed to a determination on the report of the 3d of November, 1781, and which is entered on the journal of the 1st of May, 1782, respecting the cession from the state of Virginia, and that a decision upon the said motion be postponed until that report shall be taken into consideration; whereupon,

Congress resumed the consideration of the report of the committee of the 3d of November, 1781, and after debate,

*Ordered*, That so much thereof as relates to the cession made by the commonwealth of Virginia, on the 2d day of January, 1781, be referred to a committee of five members.

On the report of a committee, consisting of Mr. Gorham, Mr. Hamilton, Mr. Arnold, Mr. Ellsworth and Mr. Izard, to whom were referred the acts of the legislatures of New-York and Maryland, with the papers accompanying them:



*Resolved*, That copies of the act of the legislature of Maryland, relative to the cession of the city of Annapolis to Congress for their permanent residence ; and also copies of the legislature of New-York, relative to the cession of the town of Kingston, for the same purpose, together with the papers which accompanied both acts, be transmitted to the executives of the respective states, and that they be informed by the president, that Congress have assigned the first Monday in October next, for taking the said offers into consideration.

On motion of Mr. Hamilton, seconded by Mr. Clark.

Mr. Livingston having signified to Congress his desire of relinquishing the exercise of the office of foreign affairs, and his intention of returning to the state of New-York :

*Resolved*, That the secretary of Congress be directed to receive the papers of the said office into his care, till a successor to Mr. Livingston can be appointed ; and that next Wednesday be assigned for the election of a secretary for the department of foreign affairs :

*Resolved unanimously*, That the thanks of Congress be presented to Mr. Livingston for his services during his continuance in office ; and that he be assured Congress entertain a high sense of the ability, zeal and fidelity with which he had discharged the important trust reposed in him.

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THURSDAY, June 5, 1783.

On motion of Mr. Williamson, seconded by Mr. Clark :

Whereas the safety of packets, ships of war or armed vessels in the service of the United States, may be greatly affected by loading goods or merchandizes on board such vessels under the name of ballast, officers privileges, or under other such pretexts.

*Resolved*, That if any captain or commander of any packet, ship of war or armed vessel in the service of the United States, shall load, or suffer to be laden on board the vessel of which he has the command, any goods and merchandize, without the express order or permission of Congress or their agent of marine, he shall forfeit his commission for such offence.

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TUESDAY, June 10, 1783.

On the report of a committee, consisting of Mr. Rutledge, Mr. Fitzsimmons and Mr. Madison, to whom was referred so much of the letter of the 5th of December, from the governor of New-Orleans, and a letter of 2d of March, from the governor of Havanna, as relates to the violation of the laws of nations and rights of neutrality, alleged to have been committed by Church and Heydon, together with a note from the hon. the minister of France, accompanied with a letter of 25th of March, from Don Antonio Argote.

*Resolved*, That copies of the papers above-mentioned, together with a copy of the decree of the court of appeals, in the case of the brigantine San Antonio, be transmitted to the governor of the state of Massachusetts, and that he be requested to cause proper enquiry to be made into the criminal charge against Messrs. Church and Heydon, and such measures taken as may be most effectual for procuring satisfaction for the injury done, as is alleged, to the flag of his Catholic majesty ; and that



copies of this resolution and of the decree of the court of appeals aforesaid, be transmitted to the hon. the minister of France; and to the governor of New-Orleans.

The committee, consisting of Mr. Gorham, Mr. Fitzsimmons, Mr. Hemmley, Mr. A. Lee and Mr. Higginson, appointed pursuant to the resolution of the 17th of June, 1782, "to enquire fully into the proceedings of the office of finance, including the several branches of the same," reported the result of their enquiries.

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WEDNESDAY, June 11, 1783.

Mr. James M'Henry, a delegate for the state of Maryland, attended, and produced the credentials of his appointment.

A letter, of this day, from the secretary at war, was read, informing that the troops of Pennsylvania, Delaware, Maryland and Virginia, are yet to be furloughed, and that it is necessary some person should be authorized and directed to sign the furloughs; whereupon,

*Resolved*, That the secretary at war be authorized and directed to furlough such of the troops of Pennsylvania, Delaware, Maryland and Virginia, as are yet to be furloughed, agreeably to the resolution of the 26th day of May last.

On motion of Mr. Peters, seconded by Mr. Holten,

*Ordered*, That the election of a secretary for foreign affairs be postponed till Tuesday next.

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FRIDAY, June 13, 1783.

On the report of a committee, consisting of Mr. Bland, Mr. M'Henry and Mr. Gorham, to whom was referred a letter of the 11th, from the secretary at war.

Whereas the secretary at war was, by the resolution of the 26th day of April, 1782, directed and empowered to establish sufficient magazines at New-London, in Virginia, and at sundry other places within the United States: and whereas the secretary at war is of opinion, and it also appears to the committee that it would be most proper to erect the magazine in Virginia, at a place more convenient than New-London; therefore,

*Resolved*, That the secretary at war be authorized to construct and erect magazines for keeping such of the stores of the United States as it shall be found necessary to send to Virginia, at such place above the falls of James river, as shall, in his opinion, be the best adapted for that purpose, the above resolution notwithstanding; and that he lay before Congress, as soon as may be, an estimate of the expense for building and completing the same, and such other of the magazines, mentioned in the said resolution, as yet remain to be built or completed.

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TUESDAY, June 17, 1783.

Mr. Jacob Read, a delegate for the state of South-Carolina, attended, and produced the credentials of his appointment, which were read.

Congress took into consideration the report of the committee appointed to enquire fully into the proceedings of the office of finance; and the same being read:



*Ordered*, That it be entered on the journal, as follows:

" The committee appointed to examine into the transactions of the office of finance, having completed that enquiry to the 1st of January, 1783, report,

That it appears to them the business of that office has been conducted with great ability and assiduity, in a manner highly advantageous to the United States, and in conformity with the system laid down by Congress.

In the course of this enquiry, the committee have found, that since the appointment of the superintendant of finance, the public accounts of receipts and expenditures have been regularly and punctually kept; that many of the accounts which preceded this institution have already been settled, and most of the others put into a train of adjustment.

That all the persons who have been intrusted with public money, under the present appointment, have been regularly called upon for an account of its expenditure, and that their accounts have all been furnished, excepting only the quarter-master-general; the purveyor of the hospitals, the late commissary-general of prisoners, and the account of issues of clothing from the clothier-general. The reasons which have prevented the settlement of their accounts will appear in their correspondence with the superintendant on that subject.

The committee find, by the correspondence of the office, that the states have all been called upon for an account of the specifics by them respectively supplied for the use of the continent, but that no answers have yet been given nor any accounts furnished; and that a number of people who have heretofore been intrusted with public money, do still neglect or refuse to settle their accounts, and that for want of laws in the several states, the superintendant has it not in his power to compel them to a proper settlement.

In examining the reforms which have been made in the public expenditures, the attention of the committee was necessarily called to the expenditures of former years, for the particulars of which they refer to the papers C, No. 1 to 7, in comparing these expenditures with the present, and making every allowance for the difference of times and circumstances, the committee are of opinion, that the order and economy which has been introduced since the establishment of this office, has been attended with great savings of public money, as well as many other beneficial consequences.

Among other reforms they find, that in the department of commissary of issues, no less than 250 persons were discharged, whose pay (exclusive of rations for themselves and their horses) amounted to 126,300 dollars per annum. That in one instance, a demand was made for 1000 tons of hay for the post of Philadelphia, of which 10 tons only were granted. The residue being rendered unnecessary by the new arrangement.

They find, that under the present administration the whole sum which has been brought into the public treasury, from the 14th day of May, 1781, to the 1st of Jan. 1783, amounts to 2,726,334 dols. That the whole expenditure for that period, amounts to 3,131,046  
Out of which has been paid to the army, 439,574  
That there was expended for rations for the army in 1782, 617,152



That the quarter-master-general's department in 1782,	
is charged with	343,697 dols.
And the medical-department in that year,	22,629

That the expenditures in 1782, exceeded the receipts 404,713 dollars, which was supplied by a circulation in the notes of the financier.

Upon comparing the accounts of the public receipts and expenditures (exhibited to Congress) with the books of the treasury, they found that they had been fairly and regularly stated; and it appears to them that the business of that office is conducted with great diligence and accuracy, and in conformity with the rules laid down by Congress.

With respect to the foreign money transactions, the committee confined their enquiry principally to what respected the superintendant of finance, and find that the bills of exchange which he has drawn is duly credited at the treasury.

On motion of Mr. Gorham, seconded by Mr. Bland,

*Ordered*, That a committee be appointed to consider what further measures may be necessary to compel persons who have received public monies to account.

—\*—  
*THURSDAY, June 19, 1783.*

Pursuant to the resolution of the 27th of February, 1782, the superintendant of finance reports, that he has appointed Joseph Pennell, Esq; a commissioner to settle the accounts of the marine-department.

On the report of a committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Bland, to whom was referred a letter of the 7th, from the commander in chief:

*Resolved*, That copies of the letter from the commander in chief, of the 7th inst. with the papers enclosed, be transmitted to the several states for their information, and that their attention be re-called to the resolutions of the 2d of May last, to facilitate the punctual payment of the notes issued to the army on account of their pay.

*Resolved*, That the commander in chief be informed, Congress approve the variation made by him in the manner of furloughing the troops.

—\*—  
*FRIDAY, June 20, 1783.*

On motion of Mr. Bland, seconded by Mr. Fitzsimmons:

*Resolved*, That the superintendant of finance report to Congress the obstacles which have hitherto impeded the settlement of the accounts of the army; and that he report to Congress the most eligible means to obviate those obstacles.

Congress took into consideration the report of the committee, consisting of Mr. Rutledge, Mr. Bedford, Mr. Carroll, Mr. Higginson and Mr. Wilson, to whom were referred the act of the legislature of Virginia, of the 2d of January, 1781, and the reports thereon, and a motion of Mr. Bland for accepting the cession made in the said act.

And the following paragraph being under debate, viz.

“ That the second condition, namely, that Virginia should be allowed and fully reimbursed by the United States, her actual expenses in reducing the British post at the Kaskaskies and St. Vincents; the ex-



pense of maintaining garrisons and supporting civil government there since the reduction of the said posts, and in general all the charge she has incurred on account of the country on the north-west side of the Ohio river, since the commencement of the present war, is substantially comprehended in the engagement made by Congress in the said act, (viz. the act of the 10th of October, 1780) and that one commissioner should be appointed by Congress, one by the state of Virginia, and another by those two commissioners, who, or a majority of whom, should be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expenses incurred by the said state, for the purpose mentioned in the said condition."

A motion was made by Mr. M'Henry, seconded by Mr. Clark, to strike out the words, "that the second condition is substantially comprehended in the engagement made by Congress in the said act," and in lieu thereof to insert, "that all reasonable and necessary expenses, incurred in subduing the British posts at the Kaskaskies and St. Vincents, and the expense of maintaining garrisons there, or to the north-west of the river Ohio, since the reduction of the said posts, ought to be allowed, being agreeable to the aforesaid act."

And on the question to agree to this amendment, the yeas and nays being required by Mr. M'Henry,

<i>Massachusetts,</i>	Mr. <i>Holten,</i>	ay	} <i>divided.</i>
	Mr. <i>Higginson,</i>	no	
<i>Rhode-Island,</i>	Mr. <i>Collins,</i>	ay	} *
<i>Connecticut,</i>	Mr. <i>Ellsworth,</i>	no	
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	ay	} ay
	Mr. <i>Clark,</i>	ay	
	Mr. <i>Condict,</i>	ay	
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	ay	} ay
	Mr. <i>Montgomery,</i>	ay	
	Mr. <i>Peters,</i>	ay	
<i>Delaware,</i>	Mr. <i>M'Comb,</i>	ay	} ay
	Mr. <i>Bedford,</i>	ay	
<i>Maryland,</i>	Mr. <i>M'Henry,</i>	ay	} *
<i>Virginia,</i>	Mr. <i>Madison,</i>	no	
	Mr. <i>Bland,</i>	no	} no
	Mr. <i>Mercer,</i>	no	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	no	} no
	Mr. <i>Williamson,</i>	no	
<i>South-Carolina,</i>	Mr. <i>Izard,</i>	ay	} <i>divided.</i>
	Mr. <i>Read,</i>	no	

So the question was lost.

The report being farther debated, and some amendments made, the delegates for New-Jersey laid before Congress a representation and remonstrance of the legislative council and general assembly of the state of New-Jersey, which was read, and at the request of the said delegates, was ordered to be entered on the journal, and is as follows :

*To the United States in Congress assembled.*

The representation and remonstrance of the legislative council and general assembly of the state of New-Jersey, sheweth,



That the legislature of this state is informed, that the important subject of the western, or what is commonly called crown lands, is soon to be re-considered and finally determined by Congress, especially as far as relates to the cession made by the legislature of the state of Virginia, in January, 1781, of a part of the western country or vacant territory.

The legislature cannot but express their surprise on hearing that the consideration of the subject is resumed by Congress so speedily after its last discussion, as appears by an act of Congress of the 18th of April last past, which is contained in the following words :

“ That as a further mean, as well of hastening the extinguishment of the debts, as establishing the harmony of the United States, it be recommended to the states, which have passed no acts towards complying with the resolutions of Congress of the 6th of September and 10th of October, 1780, relative to the cession of the territorial claims to make the liberal cessions therein recommended, and to the states which may have passed acts complying with the said resolutions, in part only, to revise and complete such compliance.”

Which said act has been officially laid before us during the present sitting, and appears designed by Congress to be transmitted to every state in the union, not only to the legislatures thereof, but to the people at large : the legislature of this state must be of opinion, that the latter part of the said recommendation of Congress was expressly applicable to the act of the legislature of the commonwealth of Virginia, as the cession thereby made has heretofore been deemed by Congress a partial one, and by this state, partial, unjust and illiberal.

The legislature, to avoid unnecessary repetition, beg leave in the most earnest manner, to call the attention of Congress to the records in their possession of the proceedings of the legislature of this state with regard to the present subject, beginning with their representation of the 16th of June, 1778, and at different periods since, in which are fully contained the just and uncontrovertible claims of this state to its full proportion of all vacant territory.

It is particularly disagreeable to have occasion to trouble Congress with so many applications on this head, but the importance of the subject, the danger of so much property being unjustly wrested from us, together with its being our indispensable duty, in justification and defence of the rights of the people we represent, must be our apology : we cannot be silent, while viewing one state aggrandizing herself by the unjust detention of that property, which has been procured by the common blood and treasure of the whole, and which on every principle of reason and justice, is vested in Congress for the use and general benefit of the union they represent.

They doubt not the disposition of Congress to redress every grievance that may be laid before them, and are of opinion there can be no greater cause for complaint, nor more just reasons for redress, than in the present case.

They do therefore express their dissatisfaction with the cession of western territory made by the state of Virginia, in January, 1781, as being far short of affording that justice which is equally due to the United States at large, and request that Congress will not accept of



the said cession, but that they will press upon the said state to make a more liberal surrender of that territory of which they claim so boundless a proportion.

The legislature place the utmost confidence in the wisdom and justice of Congress, and assure themselves, that as far as it lies in the power of that august body, the union will be strictly maintained.

Council Chamber,

June 14, 1783,

By order of Council,

WIL. LIVINGSTON, *President*.

House of Assembly,

June 14, 1783,

By order of the House,

EPHRAIM HARRIS, *Speaker*.

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SATURDAY, June 21, 1783.

*Resolved*, That the president and supreme executive council of Pennsylvania be informed, that the authority of the United States having been this day grossly insulted by the disorderly and menacing appearance of a body of armed soldiers about the place within which Congress were assembled, and the peace of this city being endangered by the mutinous disposition of the said troops now in the barracks, it is, in the opinion of Congress, necessary that effectual measures be immediately taken for supporting the public authority.

*Resolved*, That the committee, on a letter from colonel Butler, be directed to confer, without loss of time, with the supreme executive council of Pennsylvania, on the practicability of carrying the preceding resolution into effect; and that in case it shall appear to the committee that there is not a satisfactory ground for expecting adequate and prompt exertions of this state for supporting the dignity of the federal government, the president on the advice of the committee be authorized and directed to summon the members of Congress to meet on Thursday next at Trenton or Princeton, in New-Jersey, in order that further and more effectual measures may be taken for suppressing the present revolt, and maintaining the dignity and authority of the United States.

*Resolved*, That the secretary at war be directed to communicate to the commander in chief, the state and disposition of the said troops, in order that he may take immediate measures to dispatch to this city, such force as he may judge expedient for suppressing any disturbances that may ensue.

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## PRINCETON,

MONDAY, June 30, 1783.

Mr. Ellery and Mr. Arnold, delegates for the state of Rhode-Island, attended, and produced their credentials, by which it appears, that at the anniversary election of officers, civil and military, for the state aforesaid, held on the 1st Wednesday in May, 1783, the hon. William Ellery, Jonathan Arnold, David Howell and Henry Marchant, were elected delegates to represent the said state in the Congress of the United States of America, for one year, and until others shall be appointed in their stead, and appear to take their places.



TUESDAY, July 1, 1783.

On the report of a committee, consisting of Mr. Hamilton, Mr. Ellsworth and Mr. Bland, to whom was referred a motion of Mr. Hamilton:

*Resolved*, That major-general Howe be directed to march such part of the force under his command, as he shall judge necessary to the state of Pennsylvania, in order that immediate measures may be taken to confine and bring to trial all such persons belonging to the army as have been principally active in the late mutiny, to disarm the remainder, and to examine fully into all the circumstances relating thereto.

That in the execution of the foregoing resolution, if any matters shall arise which may concern the civil jurisdiction, or in which its aid may be necessary, application be made for the same to the executive authority of the state.

That the executive of Pennsylvania be informed of the foregoing resolutions, and requested to afford their assistance whenever the same shall be required.

The committee, consisting of Mr. Hamilton, Mr. Ellsworth and Mr. Peters, to whom were referred a letter of the 17th June, from colonel R. Butler, at Lancaster, and sundry papers communicated to Congress by the executive council of Pennsylvania, through their delegates, having on the 19th of June made a verbal report, and on the 20th of the same month a report in writing, and the written report being on the 30th re-committed, that they might amend it, by adding thereto their verbal report, and the report being this day brought in with the amendment:

*Ordered*, That it be entered on the journal.

*The Report is as follows:*

The committee to whom were referred the letters and papers communicated to Congress by the executive council of Pennsylvania, through their delegates, report,

That they had a conference yesterday, as directed, with the supreme executive council, in which, in the first instance, the propriety of calling out a detachment of militia to intercept the mutineers on their march from Lancaster, was proposed to the council, suggesting the danger of their being suffered with impunity to join the troops in the barracks, who a few days before had manifested a dangerous spirit by an insolent and threatening message sent to Congress in the name of a board of serjeants, and who, it was apprehended, would be ready to make common cause with those on their march for mutinous purposes. That the council having shewn a reluctance to call out any part of the militia, expressing an opinion that they would not be willing to act, till some outrage should have been committed by the troops: there appeared to the committee no alternative but to endeavour to dissuade the mutineers from coming to town, and if they failed in that attempt, to make use of expedients to prevent the troops in the barracks from joining in any excesses, and to induce the detachment from Lancaster to return to that place. That in this view, and at their desire, the assistant secretary at war met the detachment then on its march to



the city, and endeavoured to engage them to return to the former place, urging the considerations contained in the annexed instructions to him, but the said detachment persisted in their intention of coming to this city, and arrived here this morning. That upon conferring with the superintendant of finance, they find there is a probability that the pay-master-general, to whom the settlement of the accounts of the army has been committed, and who having all the documents in his possession, can alone execute the business with propriety, will shortly arrive from the army, and will immediately enter upon a settlement with the troops in this state; that in the mean time measures will be taken to prepare the business for a final adjustment. That there will immediately be sent to Lancaster, a sum of money to be paid to the troops on account of the month's pay heretofore directed to be advanced to them, the payment of which has hitherto been delayed by particular circumstances, together with notes for three months pay, intended to be advanced to the men when furloughed. That they have desired this information to be transmitted to the commanding-officer here and at Lancaster, with this declaration, that the corps stationed at Lancaster, including the detachment, can only be settled with or paid at that place.

*The Instructions to Major Jackson.*

SIR,

Information having been received, that a detachment of about 80 mutineers, are on their way from Lancaster to this place, you will please to proceed to meet them, and to endeavour by every prudent method to engage them to return to the post they have left. You will inform them of the orders that have been given, permitting them to remain in service till their accounts shall have been settled, if they prefer it to being furloughed, and of the allowance of pay which has been made to the army at large, and in which they are to be included. You will represent to them, that their accounts cannot be settled without their officers, whom they have left behind them at Lancaster. You will represent to them with coolness but energy, the impropriety of such irregular proceedings, and the danger they will run by persisting in an improper conduct. You will assure them of the best intentions in Congress to do them justice, and of the absurdity of their expecting to procure it more effectually by intemperate proceedings. You will point out to them the tendency which such proceedings may have to raise the resentments of their country, and to indispose it to take effectual measures for their relief. In short, you will urge every consideration in your power to induce them to return, at the same time avoiding whatever may tend to irritate. If they persist in coming to town, you will give the earliest notice to us of their progress and disposition. Should they want provisions, you will assure them of a supply, if they will remain where they are, which you are to endeavour to persuade them to do, in preference to coming to town.

I am sir, your most obedient servant,

A. HAMILTON, in behalf of the committee.

Philadelphia, June 19, 1783.

MAJOR JACKSON, *Assistant Secretary at War.*



The committee, consisting of Mr. Hamilton and Mr. Ellsworth, appointed on the 21st June, to confer with the supreme executive council of Pennsylvania, on the practicability of taking effectual measures to support the public authority, having delivered in a report :

*Ordered*, That it be entered on the journal.

*The Report is as follows :*

“ The committee appointed to confer with the supreme executive council of Pennsylvania, on the practicability of taking effectual measures to support the public authority, in consequence of the disorderly and menacing appearance of a body of armed foldiers surrounding the place where Congress were assembled, on Saturday the 21st inst. beg leave to report ;

That they had a conference the morning following with the supreme executive council, agreeably to the intention of Congress, and having communicated their resolution on that subject, informed the council, that Congress considered the proceeding on which that resolution was founded, of so serious a nature, as to render palliatives improper, and to require that vigorous measures should be taken to put a stop to the further progress of the evil, and to compel submission on the part of the offenders. That in this view they had thought it expedient to declare to the executive of the state in which they reside, the necessity of taking effectual measures for supporting the public authority. That though they had declined a specification of the measures which they would deem effectual, it was their sense, that a number of the militia should be immediately called out, sufficient to suppress the revolt. That Congress unwilling to expose the United States to a repetition of the insult, had suspended their ordinary deliberations in this city, till proper steps could be taken to provide against the possibility of it.

The council, after some conversation, informed the committee, that they would wish, previous to a determination, to ascertain the state and disposition of the militia, and to consult the officers for that purpose.

The day following the committee waited upon the council for their final resolution, having previously presented a letter addressed to his excellency the president, of which a copy is annexed, requesting the determination of the council in writing.

The council declined a written answer, alleging that it had been unusual on similar occasions ; that they were unwilling to do any thing which might appear an innovation in the manner of conducting conferences between their body and committees of Congress ; adding, however, that they were ready to give their answer in writing, if Congress should request it. They then proceeded to a verbal answer, in substance as follows :

That the council had a high respect for the representative sovereignty of the United States, and were disposed to do every thing in their power to support its dignity. That they regretted the insult which had happened, with this additional motive of sensibility, that they had themselves had a principal share in it. That they had consulted a number of well informed officers of the militia, and found that nothing in the present state of things was to be expected from that quarter. That the militia of the city in general, were not only ill provided for service,



but disinclined to act upon the present occasion. That the council did not believe any exertions were to be looked for from them, except in case of further outrage and actual violence to person or property. That in such case a respectable body of citizens would arm for the security of their property and of the public peace; but it was to be doubted what measure of outrage would produce this effect; and in particular, it was not to be expected merely from a repetition of the insult which had happened.

The council observed that they thought it their duty to communicate their expectations with candour, and passed from the subject of the practicability of vigorous measures to the policy of them. They stated, that general St. Clair, with the approbation of several members of Congress and of council, had, by a declaration in writing, permitted the mutineers to choose a committee of commissioned officers to represent their grievances to council, and had authorized them to expect that a conference would be allowed for that purpose. That it was said the mutineers began to be convinced of their error and were preparing submissions. That from the steps which had been taken, the business seemed to be in a train of negotiation, and that it merited consideration, how far it would be prudent to terminate the matter in that way rather than employ coercive means.

The committee remarked, with respect to the scruple about giving an answer in writing, that they could not forbear differing in opinion as to its propriety. That nothing was more common than written communications between the executives of the different states and the civil and military officers acting under the authority of the United States: that for a much stronger reason there was a propriety in this mode of transacting business between the council and a committee of the body of Congress. That indeed it would be conformable to the most obvious and customary rules of proceeding, and that the importance of the present occasion made it desirable to give every transaction the greatest precision.

With respect to the practicability of employing the militia, the committee observed, that this was a point of which the council was alone competent to judge. That the duty of the committee was performed in explicitly signifying the expectations of Congress.

And with respect to the policy of coercion, the committee remarked, that the measures taken by Congress clearly indicated their opinion, that the excesses of the mutineers had passed the bounds within which a spirit of compromise might consist with the dignity, and even the safety of government. That impunity for what had happened might encourage to more flagrant proceedings, invite others to follow the example and extend the mischief. That the passiveness of conduct observed towards the detachment which had mutined at Lancaster, and come to the city in defiance of their officers, had, no doubt, led to the subsequent violences. That these considerations had determined Congress to adopt decisive measures. That besides the application to the state in which they reside, for its immediate support, they had not neglected other means of ultimately executing their purpose, but had directed the commander in chief to march a detachment of troops towards the city. That whatever moderation it might be prudent to



exercise towards the mutineers, when they were once in the power of government, it was necessary, in the first instance, to place them in that situation. That Congress would probably continue to pursue this object unless it should be superceded by unequivocal demonstrations of submission on the part of the mutineers. That they had hitherto given no satisfactory evidence of this disposition, having lately presented the officers they had chosen to represent their grievances, with a formal commission in writing, enjoining them, if necessary, to use compulsory means for redress, and menacing them with death, in case of their failing to execute their views.

Under this state of things, the committee could not forbear suggesting to the council, that it would be expedient for them so to qualify the reception which they should think proper to give to any propositions made by the mutineers, as not to create embarrassment, should Congress continue to act on the principle of coercion.

The committee finding that there was no satisfactory ground to expect prompt and adequate exertions on the part of the executive of this state, for supporting the public authority, were bound by the resolution under which they acted, to advise the president to summon Congress to assemble at Princeton or Trenton on Thursday the 26th inst.

Willing however to protract the departure of Congress as long as they could be justified in doing it, still hoping that further information would produce more decisive measures on the part of the council, and desirous of seeing what complexion the intimated submissions would assume, they ventured to defer advising the removal till the afternoon of the day following, that on which the answer of council was given. But having then received no further communications from the council, and having learnt from general St. Clair, that the submissions proposed to be offered by the mutineers, through the officers they had chosen to represent them, were not of a nature sufficiently explicit to be accepted or relied on: that they would be accompanied by new demands, to which it would be improper to listen; that the officers themselves composing the committee had shewn a mysterious reluctance to inform general St. Clair of their proceedings; had refused, in the first instance to do it, and had afterwards only yielded to a pre-emptory demand on his part: The committee could no longer think themselves at liberty to delay their advice for an adjournment, which they this day accordingly gave; persuaded at the same time, that it was necessary to impress the mutineers with a conviction, that extremities would be used against them before they would be induced to resolve on a final and unreserved submission.

Philadelphia, June 24th, 1783.

*The Letter of his Excellency the President of the Supreme Executive Council of Pennsylvania.*

SIR,

WE have the honor to enclose for your excellency and the council, a copy of the resolutions communicated in our conference yesterday. Having then fully entered into all the explanations which were necessary on the subject, we shall not trouble your excellency with a recapitulation; but as the object is of a delicate and important nature,



we think it our duty to request the determination of the council in writing.

We have the honor to be, with perfect respect,  
your excellency's most obedient servants.

Philadelphia, June 23, 1783.

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WEDNESDAY, July 2, 1783.

On motion of Mr. Hamilton, seconded by Mr. Madison,

Whereas by the confederation, the assent of nine states is requisite to the determination of matters of principal importance to the United States, and the representation in Congress has for some time past generally consisted of less than that number of states, in consequence thereof, the public business, at an interesting juncture, has suffered and continues to suffer great delay and embarrassment :

*Resolved*, That the states which are not present in Congress, be informed that it is indispensable they should without loss of time, send forward a delegation to Congress.

A letter, of the 24th June, from his excellency W. Livingston, governor of the state of New-Jersey, was read ; whereupon,

*Resolved*, That the president inform his excellency the governor of New-Jersey, that Congress entertain a high sense of the spirit and attachment of the citizens of New-Jersey to the federal union, and of the sentiments expressed by his excellency ; and are happy that events have rendered the call of the citizens into service unnecessary.

An address of the governors and masters of the college, was read, offering to Congress the use of the hall, library room and every other convenience that the college in its present situation can afford ; whereupon,

*Resolved*, That the president inform the governors and masters of the college, that Congress entertain a proper sense of their obliging offer, and accept the use of such parts of the college as are immediately necessary for their session, and for the officers attending them during their stay at Princeton.

A letter, of the 25th June, from the hon. John Cox, vice-president of the council of New-Jersey, was read, accompanied with certain resolves entered into by the inhabitants of Trenton ; whereupon,

*Resolved*, That the president inform Mr. Cox, that Congress entertain just sentiments of the respectful manner in which the inhabitants of Trenton and its vicinity express themselves in their resolves of the 24th of June last, with regard to Congress.

That Congress highly applaud the proper resentment the citizens of Trenton and its vicinity have discovered against disturbers of the public peace and violators of the dignity of the union.

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FRIDAY, July 4, 1783.

Certain resolutions passed by the inhabitants of Princeton and its vicinity, being laid before Congress, and read.

*Resolved*, That Congress highly applaud the resolutions of the inhabitants of Princeton and its vicinity, to support order and good government ; that Congress entertain a proper sense of their affectionate



and respectful expressions, and are obliged by their exertions to accommodate the representatives of the United States.

On a report of the superintendant made pursuant to the order of the 20th of June last :

*Resolved*, That the pay-master-general be, and he is hereby fully authorized and empowered to settle and finally adjust all accounts whatsoever, between the United States, and the officers and foldiers of the American army, so as to include all and every demand which they or either of them, may have by virtue of the several resolutions and acts of Congress relating thereto. And that the said pay-master do give certificates of the sums which may appear due on such settlements in the form and manner which the superintendant of the finances of the United States may direct: provided always, that the certificates to the officers shall be delayed for a reasonable time, to obtain returns of payments or advances to them by the states, or public departments, where in the opinion of the pay-master-general, such delay shall be necessary.

WEDNESDAY, July 9, 1783.

A motion was made by Mr. Higginson, seconded by Mr. Holten,

“ That the superintendant of finance do direct the receiver of continental taxes in the state of Massachusetts, to pay to the officers and foldiers of the Massachusetts line of the army, who have been discharged on furlough, the amount of one year's pay, out of the monies he may receive from that state, on account of the requisition for the expenses of the year 1782.”

A motion was then made by Mr. Williamson, seconded by Mr. Clark,

That the foregoing motion be committed: and on the question for a commitment, the yeas and nays being required by Mr. Higginson,

<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Higginson,</i>	<i>no</i>		
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Arnold,</i>	<i>ay</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Clark,</i>	<i>ay</i>		
	Mr. <i>Condict,</i>	<i>ay</i>		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>Montgomery,</i>	<i>ay</i>		
<i>Delaware,</i>	Mr. <i>McComb,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Bedford,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>ay</i>	}	*
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Izard,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Read,</i>	<i>ay</i>		

So the question was lost.

After some further debate, an adjournment was called for, and agreed to.

THURSDAY, July 10, 1783.

Congress resumed the consideration of the motion of Mr. Higginson, which was under debate yesterday; and thereupon,



*Ordered*, That the said motion be referred to a committee of three.

FRIDAY, July 11, 1783.

Congress took into consideration the report of the committee, consisting of Mr. Bland, Mr. Fitzsimmons and Mr. Higginson, to whom was referred the motion of Mr. Higginson, and the same being read as follows :

Whereas it has been represented to Congress, that the officers and soldiers of the Massachusetts line, who have lately retired on furlough, have not received the pay which was formerly directed ; and whereas it is the wish of Congress to do equal justice to all the officers and soldiers of the continental army ; therefore,

*Resolved*, That the superintendant of finance be, and he is hereby directed to complete without delay, the same payments to the officers and soldiers of the Massachusetts line, which were ordered to be paid to the army at large.

*Resolved*, That the superintendant of finance, be directed immediately to order the receivers of the continental revenue in each state, to receive the notes issued by his order for the payment of the army, whether signed by himself or Michael Hillegas, treasurer, payable in 1, 2, 3, 4, 5, or 6 months, in discharge of the requisition for 8,000,000 of dollars, for the expense of the year 1782, and that he immediately publish the said order in all the newspapers in the several states."

A motion was made by Mr. Holten, seconded by Mr. Higginson, to postpone the consideration of the report, in order again to take up the original motion, as entered on the journal the 9th inst. And on the question for postponing, the yeas and nays being required by Mr. Holten,

Massachusetts,	Mr. Holten,	ay	} ay
	Mr. Higginson,	ay	
Rhode-Island,	Mr. Ellery,	ay	} ay
	Mr. Arnold,	ay	
Connecticut,	Mr. Ellsworth,	no	} *
New-Jersey,	Mr. Boudinot,	no	
	Mr. Clark,	no	} no
	Mr. Conduct,	no	
Pennsylvania,	Mr. Fitzsimmons,	no	} no
	Mr. Montgomery,	no	
Delaware,	Mr. M'Comb,	no	} no
	Mr. Bedford,	no	
Virginia,	Mr. Bland,	no	} no
	Mr. Mercer,	no	
North-Carolina,	Mr. Hawkins,	no	} no
	Mr. Williamson,	no	
South-Carolina,	Mr. Izard,	no	} no
	Mr. Read,	no	

So the question was lost.

The report was then taken into farther consideration, and the following resolution agreed to.

Whereas it has been represented to Congress, that the officers and



soldiers of the Massachusetts line, who have lately retired on furlough, have not received the pay which was formerly directed : And whereas it is the wish of Congress to do equal justice to all the officers and soldiers of the continental army :

*Resolved unanimously,* That the superintendant of finance be, and he is hereby directed to complete without delay, the same payments to the officers and soldiers of the Massachusetts line, which were ordered to be paid to the army at large.

The last paragraph of the report being under debate, and the same having been amended,

*Ordered,* That it be referred to the superintendant of finance to report, and that he be directed to report immediately what measures he has taken relative to the pay of the army.

On motion of Mr. Higginson, seconded by Mr. Holten,

*Resolved,* That the superintendant of finance be directed to report to Congress, the reasons why the troops lately furloughed, did not receive part of their pay previous thereto, agreeably to the intention of Congress ; and also to report the measures by which he expects to redeem the notes he has issued, or may hereafter issue to the troops which have been, or may be furloughed under the resolution of the 26th day of May last.

On motion of Mr. Williamson, seconded by Mr. Ellsworth, Congress came to the following resolution :

One of the delegates from Pennsylvania having read in his place, a letter from the supreme executive council of that state, complaining of an ambiguity in part of the report of a committee which was entered on the journal on the 1st inst. in the following words : " that they (the executive council) regretted the insult which had happened, with this additional motive of sensibility, that they had themselves had a principal share in it."

*Resolved,* That Congress do not conceive the committee had the most distant intention to insinuate that the executive council had any share in promoting the insult which was offered to Congress by the mutinous troops, but that the executive council had shared with Congress in receiving the insult.

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WEDNESDAY, July 16, 1783.

Mr. Duane, a delegate from the state of New-York, and Mr. A. Lee, a delegate from the state of Virginia, attended, and took their seats in Congress.

The agent of marine, to whom was referred a letter of the 20th of June last, from the governor of Virginia to the delegates of that state, having reported,

That the services rendered by Messrs. Cowper and Ballard, were previous to the requisitions for the service of 1782 and 1783, so that no monies now in the treasury can properly be applied to the payment of what those services may on a proper investigation appear to be really worth. That the commissioner appointed to settle the accounts of the United States in Virginia, is authorized to adjust the value of services rendered by the citizens thereof to the United States, at the time and place where they were rendered, according to the principles



of equity ; an authoriry which is vested in him completely and exclusively. That therefore, Messrs. Cowper and Ballard, must apply to the said commissioner, who, if he should find the United States to be in their debt, will give them certificates like to those which are given to other creditors of the said states, and will transmit such materials to the commissioner for settling the accounts of the marine department, as will enable him to make proper charges in those accounts.

*Resolved*, That Congress agree to the said report.

On the report of a committee, consisting of Mr. Williamson, Mr. Maddison and Mr. Read, to whom was referred a letter of the 23d June, from the commander in chief, enclosing a copy of his correspondence with the commissioners for superintending the embarkations at New-York :

*Resolved*, That the commander in chief be instructed, to recal the commissioners who have been appointed to superintend the embarkations at New-York, unless some change of circumstances shall have occurred, from which he may conclude that their further continuance in New-York may be productive of some advantage to the citizens of the United States.

On motion of Mr. Williamson, seconded by Mr. Holten,

*Resolved*, That whenever the president shall be obliged to adjourn Congress, from the want of seven states, an entry shall be made in the daily journal of the states present, and of the names of the individual members present from the states unrepresented.

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FRIDAY, July 18, 1783.

An address from the magistrates, militia officers, and citizens of the town of Newark, signed by W. Burnet, Esq; chairman, having been read :

*Resolved*, That the president inform Mr. Burnet, that Congress entertain a high sense of the spirit and patriotism of the magistrates, militia officers, and citizens of the town of Newark, applaud their zeal for good order, and the security and honor of the federal government, and are obliged by their disposition to render the residence of Congress in the state, as agreeable as possible.

On the report of a committee, consisting of Mr. Read, Mr. Ellery and Mr. M'Henry, to whom was referred a letter of the 23d June, from the commander in chief, enclosing the copy of a letter from Mr. Reuben Harvey, merchant in Cork, in the kingdom of Ireland, and other papers.

*Resolved*, That his excellency the commander in chief, be requested to transmit the thanks of Congress to Mr. Reuben Harvey, merchant in Cork, in the kingdom of Ireland, and express the just sense Congress entertain of the services he has rendered during the late war, to American prisoners.

Adjourned to ten o'clock on Tuesday.

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TUESDAY, July 22, 1783.

Six states only attended, namely, Massachusetts, New-York, New-Jersey, Pennsylvania, Virginia and North-Carolina ; and from the state of Maryland, Mr. M'Henry, from the state of South-Carolina, Mr. Izard.



WEDNESDAY, July 23, 1783.

Mr. Howell, a delegate from the state of Rhode-Island, attended, and took his seat in Congress.

On the report of a committee, consisting of Mr. Peters, Mr. Clark and Mr. Higginson, to whom was referred a report of the superintendant of finance, on a petition of Mrs. Grace Mercer:

*Ordered*, That the superintendant of finance, transmit to the commissioner for settling the accounts of the hospital-department, a copy of the memorial of Mrs. Grace Mercer, and in the settlement of the accounts of the late Mr. Mercer, due enquiry be made by the said commissioner, into the causes of the detention of the money therein mentioned; and that the said commissioner report the result of such enquiry to the superintendant of finance, who is hereby authorized to take order therein as shall appear to him just, on such report being made.

On motion, *Ordered*, That the committee of five members, appointed last January, to enquire into the proceedings of the department of foreign affairs, be discharged; they having assigned satisfactory reasons for not reporting.

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THURSDAY, July 24, 1783.

Six states only attended, namely, Massachusetts, Rhode-Island, New-Jersey, Pennsylvania, Virginia and North-Carolina; and from the state of New-York, Mr. Duane, from the state of South-Carolina, Mr. Izard.

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FRIDAY, July 25, 1783.

Six states only attended, namely, Massachusetts, Rhode-Island, New-Jersey, Pennsylvania, Virginia and North-Carolina; and from the state of New-York, Mr. Duane, from Delaware, Mr. M'Comb, from Maryland, Mr. M'Henry, and from the state of South-Carolina, Mr. Izard.

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SATURDAY, July 26, 1783.

An address from the officers of the three battalions of militia of Hunterdon, Middlesex and Somerset, most contiguous to Princeton, being read.

*Resolved*, That the president inform the officers of militia of Hunterdon, Middlesex and Somerset, that Congress have received with much satisfaction, their respectful and affectionate address, and highly approve of the patriotic sentiments contained in the resolutions with which it is accompanied.

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MONDAY, July 28, 1783.

An address from the citizens of Philadelphia, and the liberties thereof, having been received and read.

*Resolved*, That the president inform the citizens of Philadelphia, and its liberties, in answer to their respectful and affectionate address, that the United States in Congress assembled, have great satisfaction in reviewing the spirited and patriotic exertions which have been made by the government and citizens of Pennsylvania, in the course of the



late glorious war; and that they are highly pleased with the resolution expressed by the citizens of Philadelphia, to aid in all measures which may have a tendency to support the national honor and dignity.

On motion, *Resolved*, That the president inform the commander in chief, that his attendance at Congress is requested as soon as may be convenient, after his return from the northward.

On the report of a committee, consisting of Mr. Higginson, Mr. Ellery and Mr. Williamson, to whom was referred a letter of the 14th inst. from the supreme executive council of Pennsylvania, together with all the letters received from them since the 21st of June, and also a letter of the 13th inst. from major-general R. Howe.

*Resolved*, That though Congress are disposed to extend every possible mark of clemency which may consist with the honor of government and safety of the public, to those troops who were concerned in the late mutiny, they cannot take any final resolutions on that subject, till the commanding-officer shall have finished the trials and enquiries now begun.

*Resolved*, That Congress have no objection to furloughs being granted to any of the soldiers concerned in the late mutiny, who are not supposed to have been particularly active or instrumental in the same, or whose evidence is not supposed to be important towards convicting the chief offenders.

*Resolved*, That as the act of the 26th of May last, by which the troops that were discharged or furloughed, were to be permitted to carry home their arms, originated in the high degree of confidence which Congress have ever had occasion to place in the patriotism, and good disposition of the army, the soldiers concerned in the late mutiny having evinced that they are not entitled to such confidence, cannot be permitted to take their arms.

*Resolved*, That such of the troops lately detached under the command of major-general Howe, as may not longer be necessary for effecting the services on which they were detached, be sent back to the main army.

On a letter, of the 28th, from the secretary at war:

*Resolved*, That such officers of the army of the United States, as were prisoners of war, in the months of February, March and April last, be considered as being within the spirit and intention of the act of Congress of the 2d of May last, which directs an advance of part of the pay due to the army.

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TUESDAY, July 29, 1783.

Mr. Abiel Foster, a delegate for the state of New-Hampshire, attended, and produced his credentials, by which it appears, that on the 18th day of February last, he was appointed a delegate to represent that state for one year, from the date, unless sooner relieved, or recalled by the general assembly of the state.

Mr. S. Huntington and Mr. B. Huntington, delegates for the state of Connecticut, attended, and took their seats in Congress.

Congress took into consideration a treaty of amity and commerce, concluded between the king of Sweden, and the United States of America, signed at Paris on the 3d day of April last, and the same



was adopted and ratified, nine states being present, in the manner following :

*The United States of America in Congress assembled.*

To all who shall see these presents, greeting.

WHEREAS by our commission dated at Philadelphia, on the 28th day of September, 1782, the hon. Benjamin Franklin, was invested with full powers on the part of the United States of America, to concert and conclude with a person or persons equally empowered on the part of his majesty the king of Sweden, a treaty of amity and commerce, having for its basis the most perfect equality, and for its object the mutual advantage of the parties, we promising in good faith to ratify whatever should be transacted by virtue of the said commission ; and whereas our said minister in pursuance of his full powers, did at Paris, on the 3d day of April, in the year of our Lord 1783, with count Gustavus Philip de Creutz, minister plenipotentiary named for that purpose, on the part of his majesty the king of Sweden, conclude and sign a treaty of amity and commerce in the words following, to wit :

*A Treaty of Amity and Commerce concluded between his majesty the king of Sweden and the United States of North-America.*

The king of Sweden, of the Goths and Vandals, &c. &c. &c. and the thirteen United States of North-America, to wit : New-Hampshire, Massachusetts-Bay, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, the counties of New-Castle, Kent and Suffex, on Delaware, Maryland, Virginia, North-Carolina, South-Carolina and Georgia, desiring to establish in a stable and permanent manner, the rules which ought to be observed relative to the correspondence and commerce which the two parties have judged necessary to establish between their respective countries, states and subjects ; his majesty and the United States have thought that they could not better accomplish that end, than by taking for a basis of their arrangements, the mutual interest and advantage of both nations, thereby avoiding all those burthensome preferences, which are usually sources of debate, embarrassment and discontent, and by leaving each party at liberty to make, respecting navigation and commerce, those interior regulations which shall be most convenient to itself.

With this view, his majesty the king of Sweden, has nominated and appointed for his plenipotentiary, count Gustavus Philip de Creutz, his ambassador extraordinary to his most Christian majesty, and knight, commander of his orders ; and the United States on their part, have fully empowered Benjamin Franklin, their minister plenipotentiary to his most Christian majesty : the said plenipotentiaries, after exchanging their full powers, and after mature deliberation in consequence thereof, have agreed upon, concluded and signed the following articles.

Art. 1. There shall be a firm, inviolable and universal peace and a true and sincere friendship between the king of Sweden, his heirs and successors, and the United States of America, and the subjects of his majesty, and those of the said states, and between the countries, islands, cities and towns situated under the jurisdiction of the king and of the



saïd United States, without any acception of persons or places ; and the conditions agreed to in this present treaty, shall be perpetual and permanent between the king, his heirs and successors, and the saïd United States.

Art. 2. The king and the United States engage mutually, not to grant hereafter any particular favor to other nations in respect to commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same favor freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

Art. 3. The subjects of the king of Sweden shall not pay in the ports, havens, roads, countries, islands, cities and towns of the United States or any of them, any other or greater duties or imposts of what nature soever they may be, than those which the most favored nations are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the saïd nations do or shall enjoy, whether in passing from one port to another of the United States, or in going to or from the same, from or to any part of the world whatever.

Art. 4. The subjects and inhabitants of the saïd United States shall not pay in the ports, havens, roads, islands, cities and towns under the dominion of the king of Sweden, any other or greater duties or imposts of what nature soever they may be, or by what name soever called, than those which the most favored nations are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the saïd nations do or shall enjoy, whether in passing from one port to another of the dominion of his saïd majesty, or in going to or from the same, from or to any part of the world whatever.

Art. 5. There shall be granted a full, perfect and entire liberty of conscience to the inhabitants and subjects of each party, and no person shall be molested on account of his worship, provided he submits so far as regards the public demonstration of it to the laws of the country : Moreover, liberty shall be granted, when any of the subjects or inhabitants of either party die in the territory of the other, to bury them in convenient and decent places, which shall be assigned for the purpose : And the two contracting parties will provide each in its jurisdiction, that the subjects and inhabitants respectively, may obtain certificates of the death in case the delivery of them is required.

Art. 6. The subjects of the contracting parties in the respective states, may freely dispose of their goods and effects, either by testament, donation or otherwise, in favor of such persons as they think proper ; and their heirs in whatever place they shall reside, shall receive the succession, even ab intestato, either in person or by their attorney, without having occasion to take out letters of naturalization. These inheritances as well as the capitals and effects, which the subjects of the two parties, in changing their abode, shall be desirous of removing from the place of their abode, shall be exempted from all duty, called "droit de detraction," on the part of the government of the two states respectively. But it is at the same time agreed, that nothing contained in this article shall in any manner derogate from



the ordinances published in Sweden against emigrations, or which may hereafter be published, which shall remain in full force and vigour. The United States on their part, or any of them, shall be at liberty to make respecting this matter, such laws as they think proper.

Art. 7. All and every the subjects inhabitants of the kingdom of Sweden, as well as those of the United States, shall be permitted to navigate with their vessels in all safety and freedom, and without any regard to those to whom the merchandizes and cargoes may belong, from any port whatever, and the subjects and inhabitants of the two states, shall likewise be permitted to sail and trade with their vessels, and with the same liberty and safety to frequent the places, ports and havens of powers, enemies to both or either of the contracting parties, without being in anywise molested or troubled, and to carry on a commerce not only directly from the ports of an enemy to a neutral port, but even from one port of an enemy to another port of an enemy, whether it be under the jurisdiction of the same or of different princes. And as it is acknowledged by this treaty, with respect to ships and merchandizes, that free ships shall make the merchandizes free, and that every thing which shall be on board of ships belonging to subjects of the one or the other of the contracting parties, shall be considered as free, even though the cargo or a part of it should belong to the enemies of one or both: it is nevertheless provided, that contraband goods shall always be excepted; which being intercepted shall be proceeded against according to the spirit of the following articles. It is likewise agreed, that the same liberty be extended to persons who may be on board a free ship, with this effect, that although they be enemies to both or either of the parties, they shall not be taken out of the free ship, unless they are soldiers in the actual service of the said enemies.

Art. 8. This liberty of navigation and commerce shall extend to all kinds of merchandizes except those only which are expressed in the following article, and are distinguished by the name of contraband goods.

Art. 9. Under the name of contraband or prohibited goods, shall be comprehended, arms, great guns, cannon balls, arquebuses, musquets, bombs, petards, granadoes, fauciffes, pitch, balls, carriages for ordinance, musquet rests, bandoliers, cannon powder, matches, saltpetre, sulphur, bullets, pikes, sabres, swords, morions, helmets, cuirasses, halberts, javelins, pistols, holsters, belts, bayonets, horses with their harness, and all other like kinds of arms and instruments of war for the use of troops.

Art. 10. These which follow shall not be reckoned in the number of prohibited goods; that is to say, all sorts of clothes, and all other manufactures of wool, flax, silk, cotton, or any other materials; all kinds of wearing apparel, together with the things of which they are commonly made; gold, silver, coined or uncoined, brass, iron, lead, copper, latten, coals, wheat, barley, and all sorts of corn or pulse, tobacco, all kinds of spices, salted or smoked flesh, salted fish, cheese, butter, beer, oil, wines, sugar, all sorts of salt and provisions which serve for the nourishment and sustenance of man; all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sails, sail-cloth, anchors, and any



parts of anchors, ship masts, planks, boards, beams, and all sorts of trees and other things proper for building or repairing ships ; nor shall any goods be considered as contraband, which have not been worked into the form of any instrument or thing for the purpose of war by land or by sea, much less such as have been prepared or wrought up for any use, all which shall be reckoned free goods ; as likewise all others which are not comprehended and particularly mentioned in the foregoing article ; so that they shall not, by any pretended interpretation, be comprehended among prohibited or contraband goods ; on the contrary, they may be freely transported by the subjects of the king and of the United States, even to places belonging to an enemy, such places only excepted as are besieged, blocked or invested ; and those places only shall be considered as such, which are nearly surrounded by one of the belligerent powers.

Art. 11. In order to avoid and prevent on both sides all disputes and discord, it is agreed that in case one of the parties shall be engaged in a war, the ships and vessels belonging to the subjects or inhabitants of the other, shall be furnished with sea letters or passports, expressing the name, property and port of the vessel, and also the name and place of abode of the master or commander of the said vessel, in order that it may thereby appear, that the said vessel really and truly belongs to the subjects of the one or the other party. These passports, which shall be drawn up in good and due form, shall be renewed every time the vessel returns home in the course of the year. It is also agreed, that the said vessels when loaded shall be provided not only with sea letters, but also with certificates, containing a particular account of the cargo, the place from which the vessel sailed, and that of her destination in order that it may be known, whether they carry any of the prohibited or contraband merchandizes, mentioned in the ninth article of the present treaty : which certificates shall be made out by the officers of the place from which the vessel shall depart.

Art. 12. Although the vessels of the one and of the other party, may navigate freely and with all safety, as is explained in the 7th article ; they shall nevertheless be bound at all times when required, to exhibit as well on the high-sea as in port, their passports and certificates above-mentioned. And not having contraband merchandize on board for an enemy's port, they may freely and without hindrance pursue their voyage to the place of their destination. Nevertheless the exhibition of papers shall not be demanded of merchant ships under the convoy of vessels of war, but credit shall be given to the word of the officer commanding the convoy.

Art. 13. If on producing the said certificates, it be discovered that the vessel carries some of the goods which are declared to be prohibited or contraband, and which are consigned to an enemy's port, it shall not however be lawful to break up the hatches of such ships, nor to open any chest, coffers, packs, casks or vessels, nor to remove or displace the smallest part of the merchandizes, until the cargo has been landed in the presence of officers appointed for the purpose, and until an inventory thereof has been taken ; nor shall it be lawful to sell, exchange or alienate the cargo or any part thereof, until legal process shall have been had against the prohibited merchandizes, and



sentences shall have passed, declaring them liable to confiscation; saving nevertheless, as well the ships themselves, as the other merchandizes which shall have been found therein, which by virtue of this present treaty, are to be esteemed free, and which are not to be detained on pretence of their having been loaded with prohibited merchandize, and much less confiscated as lawful prize. And in case the contraband merchandize be only a part of the cargo, and the master of the vessel agrees, consents and offers to deliver them to the vessel that has discovered them, in that case, the latter, after receiving the merchandizes which are good prize, shall immediately let the vessel go, and shall not by any means hinder her from pursuing her voyage to the place of her destination. When a vessel is taken and brought into any of the ports of the contracting parties, if upon examination she be found to be loaded only with merchandizes declared to be free, the owner or he who has made the prize, shall be bound to pay all costs and damages to the master of the vessel unjustly detained.

Art. 14. It is likewise agreed, that whatever shall be found to be laden by the subjects of either of the two contracting parties, on a ship belonging to the enemies of the other party, the whole effects, although not of the number of those declared contraband, shall be confiscated as if they belonged to the enemy; excepting nevertheless such goods and merchandizes as were put on board before the declaration of war, and even six months after the declaration, after which term none shall be presumed to be ignorant of it: which merchandizes shall not in any manner be subject to confiscation, but shall be faithfully and specifically delivered to the owners, who shall claim or cause them to be claimed, before confiscation and sale, as also their proceeds, if the claim be made within eight months, and could not be made sooner after the sale, which is to be public: provided nevertheless, that if the said merchandizes be contraband, it shall not be in anywise lawful to carry them afterward to a port belonging to the enemy.

Art. 15. And that more effectual care may be taken for the security of the two contracting parties, that they suffer no prejudice by the men of war of the other party or by privateers, all captains and commanders of ships of his Swedish majesty and of the United States, and all their subjects, shall be forbidden to do any injury or damage to those of the other party, and if they act to the contrary, having been found guilty on examination by their proper judges, they shall be bound to make satisfaction for all damages and the interest thereof, and to make them good under pain and obligation of their persons and goods.

Art. 16. For this cause, every individual who is desirous of fitting out a privateer, shall, before he receives letters patent or special commission, be obliged to give bond with sufficient sureties, before a competent judge, for a sufficient sum, to answer all damages and wrongs which the owner of the privateer, his officers or others in his employ may commit during the cruise, contrary to the tenor of this treaty, and contrary to the edicts published by either party, whether by the king of Sweden or by the United States, in virtue of this same treaty, and also under the penalty of having the said letters patent and special commission revoked and made void.



Art. 17. One of the contracting parties being at war, and the other remaining neuter, if it should happen that a merchant ship of the neutral power be taken by the enemy of the other party, and be afterwards re-taken by a ship of war or privateer of the power at war, also ships and merchandizes of what nature soever they may be, when recovered from a private or sea rover, shall be brought into a port of one of the two powers, and shall be committed to the custody of the officers of the said port, that they may be restored entire to the true proprietor, as soon as he shall have produced full proof of the property. Merchants, masters and owners of ships, seamen, people of all sorts, ships and vessels, and in general all merchandizes and effects of one of the allies or their subjects, shall not be subject to any embargo, nor detained in any of the countries, territories, islands, cities, towns, ports, rivers, or dominions whatever of the other ally, on account of any military expedition, or any public or private purpose whatsoever, by seizure, by force, or by any such manner; much less shall it be lawful for the subjects of one of the parties to seize or take any thing by force from the subjects of the other party, without the consent of the owner. This however is not to be understood to comprehend seizures, detentions and arrests, made by order and by the authority of justice, and according to the ordinary course for debts or faults of the subject, for which process shall be had in the way of right according to the forms of justice.

Art. 18. If it should happen that the two contracting parties should be engaged in a war at the same time with the common enemy, the following points shall be observed on both sides.

1st. If the ships of one of the two nations re-taken by the privateers of the other, have not been in the power of the enemy more than 24 hours, they shall be restored to the original owner, on payment of  $\frac{1}{3}$ d of the value of the ship and cargo. If on the contrary the vessel re-taken, has been more than 24 hours in the power of the enemy, it shall belong wholly to him who has re-taken it.

2d. In case, during the interval of 24 hours, a vessel be re-taken by a man of war of either of the two parties, it shall be restored to the original owner, on payment of a 30th part of the value of the vessel and cargo, and a 10th part if it has been re-taken after the 24 hours; which sums shall be distributed as a gratification among the crew of the men of war that shall have made the re-capture.

3d. The prizes made in manner above-mentioned, shall be restored to the owners after proof made of the property, upon giving security for the part coming to him who has recovered the vessel from the hands of the enemy.

4th. The men of war and privateers of the two nations shall reciprocally be admitted with their prizes into each others ports; but the prizes shall not be unloaded or sold there until the legality of a prize made by Swedish ships shall have been determined according to the laws and regulations established in Sweden, as also that of the prizes made by American vessels shall have been determined according to the laws and regulations established by the United States of America.

5th. Moreover the king of Sweden and the United States of America, shall be at liberty to make such regulations as they shall judge



necessary, respecting the conduct which their men of war and privateers respectively, shall be bound to observe with regard to vessels which they shall take and carry into the ports of the two powers.

Art. 19. The ships of war of his Swedish majesty, and those of the United States, and also those which their subjects shall have armed for war, may with all freedom conduct the prizes which they shall have made from their enemies, into the ports which are open in time of war to other friendly nations, and the said prizes upon entering the said ports, shall not be subject to arrest or seizure, nor shall the officers of the places take cognizance of the validity of the said prizes, which may depart and be conducted freely and with all liberty to the places pointed out in their commissions, which the captains of the said vessels shall be obliged to shew.

Art. 20. In case any vessel belonging to either of the two states or to their subjects, shall be stranded, shipwrecked, or suffer any other damage on the coasts or under the dominion of either of the parties, all aid and assistance shall be given to the persons shipwrecked, or who may be in danger thereof, and passports shall be granted to them to secure their return to their own country. The ships and merchandizes wrecked, or their proceeds, if the effects have been sold, being claimed in a year and a day, by the owners or their attorney, shall be restored, on their paying the costs of salvage, conformable to the laws and customs of the two nations.

Art. 21. When the subjects and inhabitants of the two parties, with their vessels, whether they be public and equipped for war, or private employed in commerce, shall be forced by tempest, by pursuit of privateers and of enemies, or by any other urgent necessity, to retire and enter any of the rivers, bays, roads or ports of either of the two parties, they shall be received and treated with all humanity and politeness, and they shall enjoy all friendship, protection and assistance, and they shall be at liberty to supply themselves with refreshments, provisions, and every thing necessary for their sustenance, for the repair of their vessels, and for continuing their voyage; provided always, that they pay a reasonable price, and they shall not in any manner be detained or hindered from sailing out of the said ports or roads, but they may retire and depart when and as they please, without any obstacle or hindrance.

Art. 22. In order to favor commerce on both sides as much as possible, it is agreed, that in case a war should break out between the said two nations, which God forbid, the term of nine months after the declaration of war, shall be allowed to the merchants and subjects respectively on one side and the other, in order that they may withdraw with their effects and moveables, which they shall be at liberty to carry off or to sell where they please, without the least obstacle; nor shall any seize their effects, and much less their persons, during the said nine months; but on the contrary, passports which shall be valid for a time necessary for their return, shall be given them for their vessels and the effects which they shall be willing to carry with them. And if any thing is taken from them, or if any injury is done to them by one of the parties, their people and subjects during the term above prescribed, full and entire satisfaction shall be made to them on that account. The above-mentioned passports shall also serve as a safe con-



duct against all insults or prizes which privateers may attempt against their persons and effects.

Art. 23. No subject of the king of Sweden shall take a commission or letters of marque for arming any vessel to act as a privateer against the United States of America, or any of them, or against the subjects, people or inhabitants of the said United States or any of them, or against the property of the inhabitants of the said states, from any prince or state whatever, with whom the said United States shall be at war. Nor shall any citizen, subject or inhabitant of the said United States or any of them, apply for or take any commission or letters of marque, for arming any vessel to cruise against the subjects of his Swedish majesty or any of them, or their property, from any prince or state whatever with whom his said majesty shall be at war. And if any person of either nation, shall take such commissions or letters of marque, he shall be punished as a pirate.

Art. 24. The vessels of the subjects of either of the parties coming upon any of the coasts belonging to the other, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or to break bulk, shall not be obliged to do it; but on the contrary, shall enjoy all the franchises and exemptions which are granted by the rules subsisting with respect to that object.

Art. 25. When a vessel belonging to the subjects and inhabitants of either of the parties, sailing on the high-sea, shall be met by a ship of war or privateer of the other, the said ship of war or privateer, to avoid all disorder, shall remain out of cannon shot, but may always send their boat to the merchant ship, and cause two or three men to go on board of her, to whom the master or commander of the said vessel shall exhibit his passport, stating the property of the vessel, and when the said vessel shall have exhibited her passport, she shall be at liberty to continue her voyage, and it shall not be lawful to molest or search her in any manner, or to give her chase, or force her to quit her intended course.

Art. 26. The two contracting parties grant mutually the liberty of having each in the ports of the other, consuls, vice-consuls, agents and commissaries, whose functions shall be regulated by a particular agreement.

Art. 27. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of eight months, or sooner if possible, counting from the day of the signature.

In faith whereof, the respective plenipotentiaries have signed the above articles, and have thereunto affixed their seals.

Done at Paris, the third day of April, in the year of our Lord one thousand seven hundred and eighty-three.

(Signed) GUSTAV. PHILIP, Comte de CREUTZ, L. S.  
B. FRANKLIN, L. S.

#### Separate Article.

The king of Sweden and the United States of North-America, agree that the present treaty shall have its full effect for the space of 15 years, counting from the day of the ratification; and the two contrac-



ting parties reserve to themselves the liberty of renewing it at the end of that term.

Done at Paris, the third of April, in the year of our Lord one thousand seven hundred and eighty-three.

(Signed)           GUSTAV. PHILIP, Comte de CREUTZ,   L. S.  
                          B. FRANKLIN,                               L. S.

Separate Articles.

Art. 1. His Swedish majesty shall use all the means in his power to protect and defend the vessels and effects belonging to citizens or inhabitants of the United States of North-America and every of them, which shall be in the ports, havens, roads, or on the seas near the countries, islands, cities and towns of his said majesty, and shall use his utmost endeavours to recover and restore to the right owners, all such vessels and effects which shall be taken from them within his jurisdiction.

Art. 2. In like manner, the United States of North-America, shall protect and defend the vessels and effects belonging to the subjects of his Swedish majesty, which shall be in the ports, havens or roads, or on the seas near to the countries, islands, cities and towns of the said states, and shall use their utmost efforts to recover and restore to the right owners, all such vessels and effects which shall be taken from them, within their jurisdiction.

Art. 3. If in any future war at sea, the contracting powers resolve to remain neuter, and as such, to observe the strictest neutrality, then it is agreed, that if the merchant ships of either party, should happen to be in a part of the sea where the ships of war of the same nation are not stationed, or if they are met on the high-sea, without being able to have recourse to their own convoys, in that case the commander of the ships of war of the other party, if required, shall in good faith and sincerity give them all necessary assistance, and in such case, the ships of war and frigates of either of the powers, shall protect and support the merchant ships of the other; provided nevertheless, that the ships claiming assistance are not engaged in any illicit commerce contrary to the principles of the neutrality.

Art. 4. It is agreed and concluded that all merchants, captains of merchant ships or other subjects of his Swedish majesty, shall have full liberty in all places under the dominion or jurisdiction of the United States of America, to manage their own affairs and to employ in the management of them whomsoever they please; and they shall not be obliged to make use of any interpreter or broker, nor to pay them any reward unless they make use of them. Moreover the masters of ships shall not be obliged in loading or unloading their vessels, to employ labourers appointed by public authority for that purpose; but they shall be at full liberty, themselves to load or unload their vessels, or to employ in loading or unloading them, whomsoever they think proper, without paying reward under the title of salary to any other person whatever; and they shall not be obliged to turn over any kind of merchandizes to other vessels, nor to receive them on board their own, nor to wait for their lading, longer than they please, and all and every of the citizens, people and inhabitants of the United States of Ame-



rica, shall reciprocally have and enjoy the same privileges and liberties in all places under the jurisdiction of the said realm.

Art. 5. It is agreed, that when merchandizes shall have been put on board the ships or vessels of either of the contracting parties, they shall not be subjected to any examination; but all examination and search must be before lading, and the prohibited merchandizes must be stopped on the spot before they are embarked, unless there is full evidence or proof of fraudulent practice on the part of the owner of the ship, or of him who has the command of her; in which case only he shall be responsible and subject to the laws of the country in which he may be: in all other cases neither the subjects of either of the contracting parties who shall be with their vessels in the ports of the other, nor their merchandizes shall be seized or molested on account of contraband goods, which they shall have wanted to take on board, nor shall any kind of embargo be laid on their ships, subjects or citizens of the state, whose merchandizes are declared contraband, or the exportation of which is forbidden, those only who shall have sold or intended to sell or alienate such merchandize, being liable to punishment for such contravention.

Done at Paris, the third day of April, in the year of our Lord one thousand seven hundred and eighty-three.

(Signed) GUSTAV. PHILIP, Compté de CREUTZ, L. S.  
B. FRANKLIN, L. S.

NOW be it known, that we the said United States of America in Congress assembled, have accepted and approved, and do by these presents, ratify and confirm the said treaty and every article and clause thereof; and we do authorize and direct our minister plenipotentiary aforesaid, to deliver this our act of ratification in exchange for the ratification of the said treaty, by his majesty the king of Sweden. In testimony whereof, we have caused our seal to be hereunto affixed. Witness his excellency Elias Boudinot, president, this 29th day of July, 1783, and of our sovereignty and independence the eighth.

On motion of Mr. Duane, seconded by Mr. Holten,

*Resolved*, That Dr. Franklin, minister plenipotentiary of these United States, for concluding a treaty with the king of Sweden, be, and he hereby is instructed and fully empowered, to obtain amendments of the following inaccuracies in the commercial treaty with his said majesty this day ratified, namely, United States of North-America, for "United States of America," the counties of New-Castle, Kent and Sussex on Delaware, for "Delaware;" and to enter into the necessary instruments and stipulations for that purpose.

The committee, consisting of Mr. Bland, Mr. Higginson and Mr. M'Henry, to whom was referred a report of the superintendant of finance, on the last paragraph of the report of the committee under debate on the 11th instant, having reported the following resolution.

That the superintendant of finance be directed, forthwith to publish so much of his instructions to the receivers of the continental revenue, as relates to their being instructed and authorized to take all notes signed by the superintendant of finance, in payment of the taxes; and also to take up all such notes whenever tendered, if they have public money in their hands.



A motion was made by Mr. M'Henry, seconded by Mr. Williamson, that the consideration of the foregoing report be postponed, in order to take up the following motion.

That the superintendant of finance be directed, to lay before Congress his instructions to the receivers of continental taxes in the United States, which direct the receipt of his notes or those of M. Hillegas, in payment of taxes, or the receiving the same in exchange for money.

And on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Higginson,

<i>New-Hampshire,</i>	Mr. Foster,	no	>	*
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Higginson,	no	}	
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no	}	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	divided.
	Mr. B. Huntington,	no	}	
<i>New-York,</i>	Mr. Duane,	ay	>	*
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no	}	
	Mr. Condict,	no	}	
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay	}	
<i>Maryland,</i>	Mr. M'Henry,	ay	>	*
<i>Virginia,</i>	Mr. Bland,	no	}	no
	Mr. A. Lee,	no	}	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay	}	
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Beresford,	ay	}	

So the question was lost.

A motion was then made by Mr. Clark, seconded by Mr. Howell, after the words, "to take up such notes," to add, "as they become due."

And on the question to agree to this amendment, the yeas and nays being required by Mr. Higginson,

<i>New-Hampshire,</i>	Mr. Foster,	no	>	*
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Higginson,	no	}	
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	divided.
	Mr. Howell,	ay	}	
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no	}	
<i>New-York,</i>	Mr. Duane,	ay	>	*
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay	}	
	Mr. Condict,	no	}	
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay	}	
<i>Maryland,</i>	Mr. M'Henry,	ay	>	*
<i>Virginia,</i>	Mr. Bland,	ay	}	ay
	Mr. A. Lee,	ay	}	



<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Izard,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Beresford,</i>	<i>ay</i>	

So the question was lost.

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WEDNESDAY, July 30, 1783.

Congress resumed the consideration of the report of the committee which was under debate yesterday ; and a motion of Mr. Hawkins, seconded by Mr. Bland, the farther consideration thereof being postponed.

A motion was made by Mr. Hawkins, seconded by Mr. Bland, in the words following :

The superintendant of finance having reported to Congress, that the receivers in the several states, have long since been instructed, to take all notes signed by the superintendant of finance, in payment of taxes ; and also to take up all such notes whenever tendered, if they have public money in their hands. Ordered that the above be published.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to amend the above motion, by striking out the words, " ordered that the above be published," and in lieu thereof, inserting " *Resolved*, That the superintendant of finance be directed to publish the purport of his instructions to the receivers of the continental taxes, authorizing and directing them, to receive notes issued by him in payment of taxes, to the end that the holders of such notes be informed in what manner they may receive payment." And on the question to agree to this motion, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	} *
<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>no</i>	
	Mr. <i>Higginson,</i>	<i>no</i>	} <i>no</i>
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>ay</i>	
	Mr. <i>Howell,</i>	<i>ay</i>	} <i>ay</i>
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>no</i>	
	Mr. <i>B. Huntington,</i>	<i>no</i>	} <i>no</i>
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Clark,</i>	<i>ay</i>	
	Mr. <i>Condict,</i>	<i>ay</i>	
<i>Pennsylvania,</i>	Mr. <i>Montgomery,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Peters,</i>	<i>no</i>	
<i>Maryland,</i>	Mr. <i>M<sup>c</sup>Henry,</i>	<i>no</i>	} *
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>ay</i>	
	Mr. <i>Lee,</i>	<i>ay</i>	} <i>ay</i>
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Izard,</i>	<i>ay</i>	} *
	Mr. <i>Beresford,</i>	<i>no</i>	

So the question was lost.

A motion was then made by Mr. M<sup>c</sup>Henry, seconded by Mr. Peters, to postpone the main question, in order to take up the following motion.

Whereas it is alleged that the instructions given by the superinten-



dant of finance, to the receivers of continental taxes in the several states, to take all notes signed by him in payment of taxes; and also to take up all such notes whenever tendered, if they have public money in their hands, are not generally known: *Resolved*, That the superintendant of finance take order for the better information of the citizens of the several states, respecting the said notes:

And on the question to postpone for this, the yeas and nays being required by Mr. Peters,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Higginson,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell	no	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} no
	Mr. B. Huntington,	no	
<i>New-York,</i>	Mr. Duane,	no	} *
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	no	
	Mr. Condict,	ay	
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	} ay
	Mr. Peters,	ay	
<i>Maryland,</i>	Mr. M <sup>c</sup> Henry,	ay	} *
<i>Virginia,</i>	Mr. Bland,	no	} divided.
	Mr. Lee,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} *
<i>South-Carolina,</i>	Mr. Izard,	no	} no
	Mr. Beresford,	no	

So the question was lost.

The main question being amended, was agreed to as follows:

The superintendant of finance having reported to Congress, "that the receivers in the several states have long since been instructed to take all notes signed by the superintendant of finance in payment of taxes; and also to take up all such notes whenever tendered, if they have public money in their hands."

*Ordered*, That the superintendant of finance be directed to publish the above information.

FRIDAY, August 1, 1783.

A motion having been made yesterday by Mr. Read, seconded by Mr. M<sup>c</sup>Henry,

That on the \_\_\_\_\_ the president shall adjourn Congress, to meet at Philadelphia, on \_\_\_\_\_ there to continue until the last Monday in October next, at which time the president shall adjourn Congress, to meet at Annapolis on the Friday following, unless Congress shall before that time have determined otherwise.

On motion made by Mr. Bland, seconded by Mr. Howell, the foregoing motion being taken up, and the first blank being filled with the words, "eighth day of August instant," and the second blank with the words, "twelfth of August instant." A motion was made by Mr. Bland, seconded by Mr. Howell, to strike out the words, "there to



continue until the last Monday in October next, at which time the president shall adjourn Congress, to meet at Annapolis on the Friday following, unless Congress shall before that time have determined otherwise."

And on the question, shall those words stand? the yeas and nays being required by Mr. M<sup>r</sup> Henry,

<i>New-Hampshire,</i>	Mr. Foster,	no	} <i>divided.</i>
<i>Massachusetts,</i>	Mr. Holten,	no	
	Mr. Higginson,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} <i>no</i>
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} <i>no</i>
	Mr. B. Huntington,	no	
<i>New-York,</i>	Mr. Duane,	no	} <i>divided.</i>
<i>New-Jersey,</i>	Mr. Boudinot,	ay	
	Mr. Clark,	no	
<i>Pennsylvania,</i>	Mr. Montgomery,	no	} <i>no</i>
	Mr. Peters,	no	
<i>Maryland,</i>	Mr. M <sup>r</sup> Henry,	ay	} <i>divided.</i>
<i>Virginia,</i>	Mr. Bland,	no	
	Mr. Lee,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} <i>divided.</i>
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Izard,	ay	} <i>ay</i>
	Mr. Read,	ay	

So the words were struck out.

On motion of Mr. Lee, seconded by Mr. Holten,

*Ordered,* That Wednesday next be assigned for the farther consideration of the motion.

On the report of a committee, consisting of Mr. Duane, Mr. A. Lee and Mr. Higginson, to whom was referred a letter of 24th July, from sir Guy Carleton, with sundry communications accompanying the same.

*Resolved,* That the president inform sir Guy Carleton, commander in chief of the British forces at New-York, that the United States in Congress assembled, have considered the communications which he has been pleased to make in his letter of the 24th July last, relative to certain persons suspected of forging and passing the notes issued from the office of finance of the United States.

That they presume his excellency will give orders that such of the persons, subjects of any of these United States, as are or may be in custody, on a charge of having made or passed within any of the United States, counterfeits either of the notes or paper bills of the United States or any of them, shall be delivered up together with the proofs which shall be collected against them, to be tried under the jurisdiction to whom the cognizance of their crimes belongs: that a guard shall attend at the time and place to be appointed by him, for the purpose of receiving and securing such of the criminals as fall under the above description: and that with regard to further enquiries, and to criminals who are not amenable to any of these United States, Congress have



entire confidence that justice will be done, and such atrocious offenders brought to condign punishment.

Adjourned to ten o'clock on Monday.

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*MONDAY, August 4, 1783.*

Five states only attended, namely, Rhode-Island, Connecticut, New-Jersey, North-Carolina and South-Carolina; and from the state of New-Hampshire Mr. Foster, from Massachusetts Mr. Holten, from Maryland Mr. M'Henry, and from the state of Virginia Mr. Mercer.

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*TUESDAY, August 5, 1783.*

The agent of marine, to whom was referred a resolution of the house of delegates of the state of Virginia of 26th of June, 1783, reported,

That although it is an object highly desirable, to establish a respectable marine, yet the situation of the public treasury renders it not adviseable to purchase ships for the present, nor until the several states shall grant such funds for the construction of ships, docks and naval arsenals, and for the support of the naval service, as shall enable the United States to establish their marine upon a permanent and respectable footing.

*Resolved,* That Congress agree to the report.

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*WEDNESDAY, August 6, 1783.*

On the report of a committee, consisting of Mr. Peters, Mr. Clark and Mr. Duane, to whom was referred a memorial of Kelelamund, alias John Killbuck, an Indian chief.

*Resolved,* That the memorial of Kelelamund, alias John Killbuck, be referred to the superintendant of finance and secretary at war, who are hereby directed to take order for supplying this faithful Indian and his family, and other friendly Indians at Fort-Pitt with clothing and necessaries; and whensoever it shall be agreeable to Kelelamund and his family to remove into the Indian country, the secretary at war is hereby directed to order provisions, and other necessary supplies for their journey, and a guard for their protection, if the same shall be necessary.

That the secretary at war be, and he is hereby directed to enquire into the numbers and wants of the friendly Indians of the Oneida, Tuscarora and other northern nations, and in conjunction with the superintendant, to afford them such supplies of clothing out of the stock of that article now on hand, as in the opinion of the superintendant of finance and secretary at war, shall be deemed sufficient for their necessities during the approaching winter. And the secretary at war is hereby further directed, to cause such articles in the quarter-master-general's department, as shall be useful to the said Indians, to be delivered to them, and also a sufficient number and quantity of arms, powder and lead, to enable them to procure their usual subsistence by hunting.

*Ordered,* That the secretary at war, convey to Kelelamund, and the chiefs of the Oneida's, Tuscarora's, and other northern nations, the just estimation in which Congress continue to hold their fidelity and



attachment to the United States, through all the vicifitudes of the late war.

—\*—  
THURSDAY, August 7, 1783.

Mr. Carroll, a delegate for Maryland, and Mr. L'Hommedieu, a delegate for New-York, attended, and took their seats in Congress.

A motion was made by Mr. Clark, seconded by Mr. Read, in the words following :

The commander in chief having been requested to attend Congress as soon as he shall return from the northward, by a resolution of the 26th July.

*Resolved*, That a committee be appointed to confer with him on the peace arrangement ; and that they be instructed to report the proper manner of receiving him.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone the consideration of the motion, in order to take up the following, viz. That a committee be appointed to consider and report what measures are proper to be adopted by Congress, with respect to the reception of the commander in chief, on his arrival at Congress. And on the question to agree to postpone for the above purpose, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	ay		
	Mr. Higginson,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	ay	}	ay
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	ay	}	divided.
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	ay	}	ay
	Mr. Montgomery,	no		
	Mr. Peters,	ay	}	no
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	no	}	ay
<i>Virginia,</i>	Mr. Bland,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Izard,	no	}	no
	Mr. Read,	no		
	Mr. Beresford,	ay	}	

So the question was lost.

A division of the main question being called for, and on the question to agree to the first part, as far as the words "peace arrangement," inclusive, the yeas and nays being required by Mr. Ellery,



<i>New-Hampshire,</i>	Mr. Foster,	no	} *
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Higginson,	no	} no
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell,	no	} no
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	} ay
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	} ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	} ay
	Mr. Condict,	ay	} ay
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	} ay
	Mr. Montgomery,	ay	} ay
	Mr. Peters,	ay	} ay
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>c</sup> Henry,	ay	} ay
<i>Virginia,</i>	Mr. Bland,	no	} ay
	Mr. Lee,	ay	} ay
	Mr. Mercer,	ay	} ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	} ay
<i>South-Carolina,</i>	Mr. Izard,	ay	} ay
	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	} ay

So it was resolved in the affirmative.

The latter part of the motion being agreed to, it was resolved as follows :

The commander in chief having been requested to attend Congress as soon as he shall return from the northward, by a resolution of the 26th July.

*Resolved*, That a committee be appointed to confer with him on the peace arrangement ; and that they be instructed to report the proper manner of receiving him.

*Ordered*, That the committee consist of five members.

On motion of Mr. A. Lee, seconded by Mr. Bland,

*Resolved* (unanimously, ten states being present) That an equestrian statue of general Washington, be erected at the place where the residence of Congress shall be established.

On the report of a committee, consisting of Mr. A. Lee, Mr. Ellsworth and Mr. Mifflin, appointed to prepare a plan of an equestrian statue of the commander in chief.

*Resolved*, That the statue be of bronze : The general to be represented in a Roman dress, holding a truncheon in his right hand, and his head encircled with a laurel wreath. The statue to be supported by a marble pedestal, on which are to be represented, in basso relievo, the following principal events of the war, in which general Washington commanded in person, viz. The evacuation of Boston—the capture of the Hessians at Trenton—the battle of Princeton—the action of Monmouth, and the surrender of York. On the upper part of the



front of the pedestal, to be engraved as follows: The United States in Congress assembled, ordered this statue to be erected in the year of our Lord 1783, in honor of George Washington, the illustrious commander in chief of the armies of the United States of America, during the war which vindicated and secured their liberty, sovereignty and independence.

*Resolved*, That a statue conformable to the above plan, be executed by the best artist in Europe, under the superintendence of the minister of the United States at the court of Versailles; and that money to defray the expense of the same, be furnished from the treasury of the United States.

*Resolved*, That the secretary of Congress transmit to the minister of the United States at the court of Versailles, the best resemblance of general Washington that can be procured, for the purpose of having the above statue erected; together with the fittest description of the events, which are to be the subject of the basso relieve.

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*FRIDAY, August 8, 1783.*

*Ordered*, That colonel G. Morgan be, and he is hereby authorized, to engage a house for the accommodation of the commander in chief, during his attendance on Congress.

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*SATURDAY, August 9, 1783.*

On motion of Mr. Williamson, seconded by Mr. Lee,

*Resolved*, That the secretary at war be directed to grant furloughs to the troops in Maryland and Virginia.

On the report of a committee, consisting of Mr. Duane, Mr. Izard and Mr. S. Huntington, to whom were referred a petition of captain Clement Gofelin, in behalf of the officers, Canadians and other refugees, residing at Fish-kill, in the state of New-York, to the number of 80 men and women, besides children; and the letter from brigadier-general Hazen and others.

*Resolved*, That it be, and is hereby recommended to the state of New-York, to receive the officers and men under the above description, agreeably to the prayer of their petition, as citizens of the said state.

*Resolved*, That the officers of the regiment lately commanded by brigadier-general Hazen, who at the commencement of the war, were inhabitants of Canada, shall continue to receive their former subsistence, until the further order of Congress: and that each of the men, women and children, referred to in the petition of the said officers, shall respectively receive a ration per day for their subsistence, until such further order.

*Resolved*, That the commissioner appointed to settle the public accounts for the state of New-York, be authorized and directed, to settle the claims for advances represented to have been made by the said officers, for the use of the United States, and report the same to Congress.

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*MONDAY, August 11, 1783.*

On motion of Mr. Clark, seconded by Mr. Holten, Congress came to the following resolution:



Congress having been informed by the communication of a letter from the pay-master-general, that he hath not been able to obtain the accounts of issues necessary for settling the accounts of the army, though he hath repeatedly requested the same from the head of the issuing department.

*Resolved*, That Charles Stewart, late commissary-general of issues, be directed immediately to furnish the pay-master-general with the accounts of issues to the several officers, in order that their accounts may be speedily settled and adjusted.

On motion of Mr. Howell, seconded by Mr. Lee,

*Resolved*, That the superintendant of finance be directed to report as soon as may be, on the letters of the 16th and 18th June last, from the commissioner for settling the accounts between the United States and the state of Pennsylvania, referred to the said superintendant: and that he also report a copy of such instructions, as have heretofore been given from his office, to the commissioners for settling the accounts between the United States and each particular state.

On the report of a committee, consisting of Mr. Bland, Mr. Mercer and Mr. Higginson, to whom was referred a petition of John Irwin, late deputy commissary of issues.

*Resolved*, That the prayer of the petition from John Irwin, late deputy commissary of issues for the western department, "that certificates may issue for the balance of pay due to himself and his assistants," cannot be granted, until all their accounts with the public shall be finally settled by the proper officers.

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TUESDAY, August 12, 1783.

On the report of a committee, consisting of Mr. Higginson, Mr. Clark and Mr. Read, to whom was referred an address from the inhabitants of New-Brunswick and its vicinity:

*Resolved*, That the president inform the inhabitants of New-Brunswick and its vicinity, that Congress with pleasure receive their congratulations on the glorious and happy success of the war, are obliged by the affection and respect for the federal government, expressed in their address, and highly approve their patriotic disposition to promote order, harmony and peace throughout the United States.

The committee, consisting of Mr. M<sup>c</sup>Henry, Mr. Williamson and Mr. Clark, to whom was referred a petition of Dr. Dirk Van Ingen, praying that depreciation may be allowed him in the settlement of his account; report,

"That as Dr. Van Ingen, who served for some years as surgeon, in the continental hospital, appears by his petition to have been reduced as a supernumerary before the 10th of April, 1780, and as no depreciation has been allowed to officers who left the service before that period, Dr. Van Ingen's claim cannot be admitted without the infringement of the rule established by Congress."

*Resolved*, That Congress agree to the said report.

On motion of Mr. M<sup>c</sup>Henry, seconded by Mr. Carroll,

*Resolved*, That the consideration of the report of a committee, to whom was referred a letter of the 20th June last, from the superintendant of finance, with the papers enclosed, relative to certain proceed-



ings of the state of Maryland, be postponed, that the delegates from Maryland may have an opportunity to receive information from the legislature, respecting the subject-matter thereof.

WEDNESDAY, August 13, 1783.

A motion was made by Mr. Howell, seconded by Mr. Ellery, "That the resolution passed yesterday, in answer to the address of the inhabitants of New-Brunswick and its vicinity, be re-considered, in order to strike out the word "government," following the word federal, and to insert in its stead, the word "union." And on the question for re-considering, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Foster,	no	}	*
Massachusetts,	Mr. Holten,	ay		
	Mr. Higginson,	no	}	divided.
Rhode-Island,	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
Connecticut,	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
New-York,	Mr. Duane,	no		
	Mr. L'Homedieu,	no	}	no
New-Jersey,	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
Pennsylvania,	Mr. Wilson,	no	}	no
	Mr. Montgomery,	no		
	Mr. Peters,	no	}	no
Maryland,	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	no	}	no
Virginia,	Mr. Bland,	no		
	Mr. Lee,	ay	}	divided.
North-Carolina,	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	no
South-Carolina,	Mr. Izard,	no		
	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

The committee, consisting of Mr. Williamson, Mr. Wilson, Mr. Izard, Mr. Duane and Mr. Carroll, to whom was referred a motion of Mr. Williamson, reported the draught of an "ordinance prohibiting the settlement and purchase of certain lands," which was read a first time :

Ordered, That Friday next be assigned for a second reading of the said ordinance.

Agreeable to the order of the day, Congress took into consideration a motion made by Mr. Howell, seconded by Mr. Bland, in the words following : "Resolved, That on the 15th instant, the president adjourn Congress to meet at Philadelphia, on the 21st instant."

A motion was made by Mr. Read, seconded by Mr. Carroll, to postpone the consideration of the foregoing motion, in order to take up the following :



“Whereas the resolution of Saturday the 21st day of June last, enabling the president to summon Congress to meet at Trenton or Princeton, on Thursday then next following, had for its object, that further and more effectual measures might be taken for suppressing the then existing revolt of certain troops of the Pennsylvania line, and maintaining the dignity and authority of the United States: And whereas it is no longer found necessary or expedient that Congress should continue at Princeton.

“Resolved, That on Friday the 15th instant, the president do adjourn Congress to meet on Monday next the 21st, at the city of Philadelphia; and that on the second Monday in October next, the president do in like manner adjourn Congress, to meet on the Monday following, at Annapolis, in the state of Maryland, unless Congress shall in the mean time order otherwise.”

And on the question for postponing, the yeas and nays being required by Mr. Wilson,

New-Hampshire,	Mr. Foster,	no	}	*
Massachusetts,	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
Rhode-Island,	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
Connecticut,	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
New-York,	Mr. Duane,	ay		
	Mr. L'Hommedieu,	no	}	divided.
New-Jersey,	Mr. Boudinot,	ay		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
Pennsylvania,	Mr. Wilson,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay	}	ay
Maryland,	Mr. Carroll,	ay		
	Mr. M <sup>r</sup> Henry,	ay	}	ay
Virginia,	Mr. Bland,	no		
	Mr. A. Lee,	no	}	no
North-Carolina,	Mr. Hawkins,	no		
	Mr. Williamson,	ay	}	divided.
South-Carolina,	Mr. Izard,	ay		
	Mr. Read,	ay	}	ay
	Mr. Beresford,	no		

So the question was lost.

On motion of the delegates of Pennsylvania,

Ordered, That the farther consideration of the original motion be postponed, in order that the following declaration made by one of the delegates from Pennsylvania this morning, in his place, be entered on the journal, viz.

“The delegates of Pennsylvania are authorized by the president and council of that state, to declare in the most respectful terms to Congress, that their return to Philadelphia is sincerely desired by the president and council, as an event which would give them the greatest satisfaction.”



The consideration of the original motion was again resumed, and after further debate, an adjournment was called for and agreed to.

THURSDAY, August 14, 1783.

Mr. Elbridge Gerry, a delegate for the state of Massachusetts, attended, and took his seat.

Congress having resumed the consideration of the motion of Mr. Howell, which was under debate yesterday.

A motion was made by Mr. Duane, seconded by Mr. B. Huntington, that the farther consideration of the same be postponed.

And on the question for postponing, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island,</i>	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	*
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no	}	no
<i>Pennsylvania,</i>	Mr. Wilson,	ay		
	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>r</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Bland,	no	}	no
	Mr. Lee,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	divided.
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Read,	ay		
	Mr. Beresford,	no	}	no

So the question was lost.

On the question to agree to the main question, the yeas and nays being required by Mr. Wilson,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island,</i>	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no	}	no



Pennsylvania,	Mr. Wilson,	ay	} ay
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
Maryland,	Mr. Carroll,	ay	} ay
	Mr. M <sup>c</sup> Henry,	ay	
Virginia,	Mr. Bland,	no	} no
	Mr. Lee,	no	
North-Carolina,	Mr. Hawkins,	no	} divided.
	Mr. Williamson,	ay	
South-Carolina,	Mr. Izard,	no	} no
	Mr. Read,	ay	
	Mr. Beresford,	no	

So the question was lost.

FRIDAY, August 15, 1783.

A letter, of August 12th, from major-general R. Howe, enclosing the proceedings of a general court-martial, on the trials of serjeants Nagle and Morrison, for mutiny, having been read.

*Resolved*, That the president inform major-general Howe, that it is the pleasure of Congress, that the execution of the sentences against the several offenders who have been convicted of mutiny by the general court-martial now sitting at Philadelphia, be suspended, until ten days after a full report of all the proceedings of the said court-martial respecting the mutiny, shall have been laid before Congress, of which the president shall give general Howe official information.

MONDAY, August 18, 1783.

On motion of Mr. A. Lee, seconded by Mr. Howell,

*Resolved*, That the superintendant of finance lay before Congress, an estimate of the foreign and domestic debt due from the United States, together with the interest on the same to become due in 1784.

TUESDAY, August 19, 1783.

A motion was made by Mr. A. Lee, seconded by Mr. Howell,

That the superintendant of finance lay before Congress, an account of the annual interest that was payable in Europe on loan-office certificates, together with an account of the bills drawn for the payment of such interest, for the year 1782, and the sums retained in France for that purpose. On which the yeas and nays being required by Mr. Lee,

New-Hampshire,	Mr. Foster,	ay	} *
	Mr. Gerry,	ay	
Massachusetts,	Mr. Holten,	ay	} ay
	Mr. Higginson,	ay	
Rhode-Island,	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
Connecticut,	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
New-York,	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	



<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} *
<i>Virginia,</i>	Mr. Bland,	ay	
	Mr. Mercer,	ay	} ay
	Mr. Lee,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} divided.
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Izard,	ay	} ay
	Mr. Beresford,	ay	

So it passed in the affirmative.

THURSDAY, August 21, 1783.

On motion of Mr. Lee, seconded by Mr. Bland :

Whereas it is stipulated in the 7th article of the preliminaries, agreed upon the 30th day of November, 1782, between the plenipotentiaries of his Britannic majesty and of the United States, " that the king of Great-Britain shall order, and cause all archives, records, deeds and papers belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored, and delivered to the proper states and persons to whom they belong."

*Resolved,* That the commander in chief be directed to make application to his Britannic majesty's generals, commanding at New-York and Quebec, for the immediate delivery, to persons authorized to receive them, of all archives, records, deeds and papers belonging to any of the United States, or to any of their citizens, which may have fallen into the hands of any of his Britannic majesty's officers during the course of the war.

*Ordered,* That copies of the foregoing resolution be sent to the several states.

MONDAY, August 25, 1783.

Congress being informed of the arrival of the commander in chief in the neighbourhood of Princeton :

*Ordered,* That he have an audience in Congress to-morrow at twelve o'clock.

TUESDAY, August 26, 1783.

According to order, general Washington attended, and being introduced by two members, the president addressed him as follows :

SIR,

CONGRESS feel particular pleasure in seeing your excellency, and in congratulating you on the success of a war, in which you have acted so conspicuous a part.

It has been the singular happiness of the United States, that during a war so long, so dangerous, and so important, Providence has been graciously pleased to preserve the life of a general, who has merited and possessed the uninterrupted confidence and affection of his fellow-citizens. In other nations many have performed services, for which



they have deserved and received the thanks of the public. But to you, sir, peculiar praise is due. Your services have been essential in acquiring and establishing the freedom and independence of your country. They deserve the grateful acknowledgments of a free and independent nation. Those acknowledgments, Congress have the satisfaction of expressing to your excellency.

Hostilities have now ceased, but your country still needs your services. She wishes to avail herself of your talents in forming the arrangements which will be necessary for her in the time of peace. For this reason your attendance at Congress has been requested. A committee is appointed to confer with your excellency, and to receive your assistance in preparing and digesting plans relative to those important objects.

To which his excellency made the following reply.

MR. PRESIDENT,

I AM too sensible of the honourable reception I have now experienced, not to be penetrated with the deepest feelings of gratitude.

Notwithstanding Congress appear to estimate the value of my life beyond any services, I have been able to render the United States, yet I must be permitted to consider the wisdom and unanimity of our national councils, the firmness of our citizens and the patience and bravery of our troops, which have produced so happy a termination of the war, as the most conspicuous effect of the divine interposition, and the surest presage of our future happiness.

Highly gratified by the favourable sentiments which Congress are pleased to express of my past conduct, and amply rewarded by the confidence and affection of my fellow-citizens; I cannot hesitate to contribute my best endeavours towards the establishment of the national security in whatever manner the sovereign power may think proper to direct, until the ratification of the definitive treaty of peace, or the final evacuation of our country by the British forces; after either of which events, I shall ask permission to retire to the peaceful shade of private life.

Perhaps sir, no occasion may offer more suitable than the present to express my humble thanks to God, and my grateful acknowledgments to my country, for the great and uniform support I have received in every vicissitude of fortune, and for the many distinguished honors which Congress have been pleased to confer upon me in the course of the war.

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WEDNESDAY, August 27, 1783.

A motion was made by Mr. Bland, seconded by Mr. Holten, that Congress will, on Friday next, resolve itself into a committee of the whole, to take into consideration what powers exist in Congress, by the confederation, for the purpose of forming a military peace establishment.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to amend, by inserting after "consideration," the words "whether any and," and on the question to agree to this amendment, the yeas and nays being required by Mr. Ellery,



<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Higginson,	ay	}	divided.
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	no	}	divided.
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	ay	}	divided.
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Condict,	ay	}	no
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
	Mr. Peters,	no	}	no
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M'Henry,	no	}	no
<i>Virginia,</i>	Mr. Jones,	no		
	Mr. Madison,	ay	}	no
	Mr. Bland,	no		
	Mr. Lee,	ay	}	no
<i>North-Carolina,</i>	Mr. Mercer,	no		
	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	divided.
	Mr. Beresford,	ay		

So the question was lost.

A motion was made by Mr. Williamson, seconded by Mr. Read, to postpone the consideration of the main question, in order to consider the following proposition.

That on Friday next, Congress will go into a committee of the whole, to consider the question of a peace establishment; and on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Holten,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Higginson,	no		
	Mr. Holten,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	ay		
	Mr. L'Hommedieu,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Condict,	no	}	divided.
<i>Pennsylvania,</i>	Mr. Montgomery,	ay		
	Mr. Peters,	ay	}	ay
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M'Henry,	ay	}	ay



Virginia,	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
	Mr. Bland,	no	
	Mr. Lee,	no	
	Mr. Mercer,	ay	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	

So the question was lost.

THURSDAY, August 28, 1783.

The delegates for Pennsylvania laid before Congress an extract from the minutes of the general assembly of that state, which was read, and is as follows :

*State of Pennsylvania, in General Assembly, August 25, 1783, A. M.*

Agreeable to the order of the day, the house went into the consideration of the report on the subject of national credit, read August 22d instant ; whereupon,

*Resolved unanimously,* That Mr. Rush, Mr. Whitehill and Mr. Hoge, be a committee to prepare and bring in a bill conformable to the resolution of Congress of April 18th, 1783, inserting a clause for repealing the act entitled, “ An act to vest in the Congress of the United States, a power to levy duties of five per centum ad valorem, on certain goods and merchandize imported into this commonwealth, and on prizes and prize goods condemned in the court of admiralty of this state, after the 1st day of May, 1781, and for appropriating the same.”

*Resolved unanimously,* That the measures Congress have taken in their resolution of the 18th of April last, to support and establish public and national credit, meet with the approbation of this house, and they will appropriate substantial and permanent funds, by taxes or otherwise, for supplying the continental treasury, with their quota as assigned in said resolution.

*Resolved unanimously,* That this house do hereby authorize and direct their delegates in Congress, or any two of them to join with the delegates of the other states in Congress assembled, and properly authorized, in revoking and making void so much of the 8th article of confederation and perpetual union, between the thirteen States of America, as is contained in the following words, viz. “ All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all land within such state granted to or surveyed for any person as such land, and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint.” And in place thereof to substitute the words following, viz.

“ All charges of war, and all other expenses that have been or shall be incurred for the common defence or general welfare, and allowed



by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the whole number of white and other free citizens and inhabitants of every age, sex and condition, including those bound to servitude for a term of years, and  $\frac{3}{5}$ ths of all other persons not comprehended in the foregoing description, except Indians not paying taxes in each state, which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint."

On the report of a committee, consisting of Mr. Bland, Mr. Mercer and Mr. Holten, to whom was referred a letter of the 10th August, from captain Winthrop Serjeant.

*Resolved*, That captain Winthrop Serjeant be, and he is hereby promoted to the rank of major by brevet in the army of the United States.

The ordinance for prohibiting the settlement and purchase of certain lands, was read a second time :

*Ordered*, That it be referred to a grand committee.

FRIDAY, August 29, 1783.

A letter, of the 25th, from Joseph Bullock, one of the late managers of the lottery was read, stating that, "among the dead letters in the hands of the post-master-general, are several packets containing tickets and letters; that the lottery accounts being now in the hands of the public auditors, those vouchers are absolutely necessary in the settlement of the same;" whereupon,

*Ordered*, That the packets aforesaid be delivered free to the said Joseph Bullock.

MONDAY, September 1, 1783.

An act of the general assembly of Connecticut, authorizing the delegates of that state, to agree to an alteration in the 8th of the articles of confederation as recommended by the act of the 18th of April last, was laid before Congress and read, as follows :

\*\*\*\*\*  
\* L. S. \*  
\* \* \*  
\*\*\*\*\*  
At a General Assembly of the Governor and Company of  
the State of Connecticut, holden at Hartford in the  
said State, on the 2d Thursday of May, Anno Domini,  
1783.

Whereas the United States in Congress assembled, on the 18th day of April, 1783, among other things resolved, that a more convenient and certain rule of ascertaining the proportions to be supplied by the states respectively, to the common treasury, the following alteration in the articles of confederation and perpetual union, between these states, be, and the same is hereby agreed to in Congress: and the several states are advised to authorize their respective delegates to subscribe and ratify the same, as part of the said instrument of union, in the words following, viz. So much of the 8th of the articles of confederation and perpetual union between the thirteen States of America, as is contained in the words following, to wit: "All charges of war, and all other expenses that shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assem-



bled, shall be defrayed out of a common treasury, which shall be supplied by the several states, in proportion to the value of all lands within each state, granted to or surveyed for any person as such land, and the buildings and improvements thereon, shall be estimated according to such mode as the United States in Congress assembled shall, from time to time, direct and appoint," is hereby revoked and made void, and in place thereof it is declared and concluded, the same having been agreed to in a Congress of the United States, "that all charges of war, and other expenses that have been or shall be incurred for the common defence or general welfare, and allowed by the United States in Congress assembled, except so far as shall be otherwise provided for, shall be defrayed out of a common treasury, which shall be supplied by the several states in proportion to the whole number of white and other free citizens and inhabitants of every age, sex and condition, including those bound to servitude for a term of years, and three fifths of all other persons not comprehended in the foregoing description, except Indians not paying taxes in each state, which number shall be triennially taken and transmitted to the United States in Congress assembled, in such mode as they shall direct and appoint."

It is resolved, and enacted by this assembly, that the delegates of this state, in the Congress of the United States, or any two or more of them be, and they are hereby fully authorized and empowered on behalf of this state, to subscribe and ratify the aforerecited alteration in the 8th of the articles of confederation and perpetual union between the United States of America, as a part of the said instrument of union."

The delegates for the state of Pennsylvania, laid before Congress fundry resolutions of the general assembly of that state, which were read and ordered to be entered on the journal as follows:

*"State of Pennsylvania, in General Assembly, Friday, August 29, 1783, A. M.*

The report of the committee appointed to consider of the most eligible means for the accommodation of Congress, should that honorable body determine to reside within this state, read August 27th instant, was read the second time; whereupon,

*Resolved unanimously,* That until Congress shall determine upon the place of their permanent residence, it would be highly agreeable to this house, if that honorable body should deem it expedient to return to and continue in the city of Philadelphia; in which case they offer to Congress the different apartments in the state-house and adjacent buildings which they formerly occupied for the purpose of transacting the national business therein.

*Resolved unanimously,* That this house will take effectual measures to enable the executive of the state to afford speedy and adequate support and protection to the honor and dignity of the United States in Congress, and the persons of those composing the supreme council of the nation assembled in this city.

*Resolved unanimously,* That as this house is sincerely disposed to render the permanent residence of Congress in this state, commodious and agreeable to that honorable body, the delegates of this state be instructed, to request that Congress will be pleased to define what



jurisdiction they deem necessary to be vested in them, in the place wherein they shall permanently reside."

THURSDAY, September 4, 1783.

Major-general Howe having transmitted to the president, "a full report of the proceedings of the court-martial respecting the late mutiny." Ordered, That they be laid before Congress on Tuesday next.

FRIDAY, September 5, 1783.

A motion was made by Mr. Lee, seconded by Mr. Holten, That the superintendant of finance be directed to lay before Congress, an account of all the public monies which have been applied at home and abroad to the purchase of clothing for the army since his coming into office; together with an account of what part of such clothing has been received, and how it has been disposed of.

On the question to agree to this, the yeas and nays being required by Mr. Lee,

New-Hampshire,	Mr. Foster,	ay	}	*
Massachusetts,	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
Rhode-Island,	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
Connecticut,	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
New-York,	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
New-Jersey,	Mr. Boudinot,	ay	}	*
Pennsylvania,	Mr. Wilson,	ay		
	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay		
Maryland,	Mr. Carroll,	no	}	divided.
	Mr. M <sup>c</sup> Henry,	ay		
Virginia,	Mr. Bland,	ay	}	ay
	Mr. Lee,	ay		
	Mr. Mercer,	no	}	ay
North-Carolina,	Mr. Hawkins,	ay		
South-Carolina,	Mr. Izard,	ay	}	ay
	Mr. Read,	ay		
	Mr. Beresford,	ay	}	

So it was resolved in the affirmative.

On motion of Mr. Lee, seconded by Mr. Holten,

Resolved, That the secretary at war be directed to lay before Congress, copies of the returns from the clothier-general to him, of the clothing which has been received by the said clothier-general, since the 1st of January, 1781, to the present time; and also of the returns of clothing on hand, every two months in that period, as directed by the regulations passed June 10th, 1781.

On motion of Mr. M<sup>c</sup>Henry, seconded by Mr. Lee,

Resolved, That Friday next be assigned to decide on the place proper for a temporary residence of Congress.



On the report of a committee, consisting of Mr. Ellery, Mr. A. Lee and Mr. Gerry, to whom was referred a letter of the 1st, from the agent of marine.

*Resolved*, That the agent of marine be, and he is hereby directed to cause the ship Alliance to be unladen, and her cargo freighted to Europe on the best terms.

That the agent of marine discharge the officers and crew of the ship Alliance, cause her to be surveyed, and report to Congress the state she is in, with an estimate of the expence necessary to give her a good repair.

MONDAY, September 8, 1783.

The president being absent, Congress proceeded to the election of a chairman, for the purpose of keeping order; and, the ballots being taken, the hon. John Rutledge was elected.

TUESDAY, September 9, 1783.

The president and the chairman elected yesterday, being absent, Congress proceeded to the election of another chairman, for the purpose of keeping order; and, the ballots being taken,

The hon. D. Carroll was elected.

A motion was made by Mr. Read, seconded by Mr. Mercer,

That the secretary of Congress enquire of Mr. David C. Claypool, printer of the Pennsylvania Packet, dated September 9, 1783, by what means a copy of a letter printed in his paper, dated New-York, August 17, 1783, signed Guy Carleton, and directed to his excellency Elias Boudinot, Esq; came to his hands.

A motion was made by Mr. Gerry, seconded by Mr. Higginson, that the motion be committed. And on the question for commitment, the yeas and nays being required by Mr. Howell,

New-Hampshire,	Mr. Foster,	ay	}	*
Massachusetts,	Mr. Holten,	ay		
	Mr. Higginson,	ay		
Rhode-Island,	Mr. Ellery,	ay	}	divided.
	Mr. Howell,	no		
Connecticut,	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
New-York,	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
Pennsylvania,	Mr. Peters,	ay	}	*
Maryland,	Mr. Carroll,	ay		
	Mr. M <sup>r</sup> Henry,	ay		
Virginia,	Mr. Bland,	no	}	no
	Mr. Lee,	ay		
	Mr. Mercer,	no		
North-Carolina,	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
South-Carolina,	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Read,	no		
	Mr. Beresford,	ay	}	

So the question was lost.



On the question to agree to the original motion, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>Pennsylvania,</i>	Mr. Peters,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>c</sup> Henry,	no		
<i>Virginia,</i>	Mr. Bland,	no	}	ay
	Mr. Lee,	ay		
	Mr. Mercer,	ay	}	ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	no
<i>South-Carolina,</i>	Mr. Rutledge,	no		
	Mr. Izard,	no	}	no
	Mr. Read,	ay		
	Mr. Beresford,	no	}	no

So the question was lost.

According to order, the full report of the proceedings of the court-martial, respecting the late mutiny, was laid before Congress.

*Ordered,* That the same be committed.

WEDNESDAY, September 10, 1783.

On the report of a committee, consisting of Mr. M<sup>c</sup>Henry, Mr. Peters and Mr. Duane, to whom was referred a report from the secretary at war, on a motion of Mr. Dyer.

*Resolved,* That the secretary at war inform the pay-master-general, that brevet commissions do not entitle to pay or emoluments, unless the same be expressed in the resolution granting such commissions.

A motion was made by Mr. Lee, seconded by Mr. Holten,

That the superintendant of finance and the treasurer, be directed to lay before Congress an account of all the notes which have been issued by them on the credit of the United States, together with an account of what part of those notes are now in circulation.

Whereupon it was moved by Mr. Read, seconded by Mr. Mercer, that the said motion be postponed, in order to take up the following:

That the house proceed to appoint five committees, to be composed of five members each, for the purposes mentioned and pointed out by the act of Congress of the 17th June, 1782.

And on the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Read,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Higginson,	no		



<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	divided.
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	no	}	divided.
<i>Virginia,</i>	Mr. Bland,	no		
	Mr. Lee,	no	}	no
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	*
<i>South-Carolina,</i>	Mr. Rutledge,	ay		
	Mr. Izard,	ay	}	ay
	Mr. Read,	ay		
	Mr. Beresford,	no	}	

So the question was lost.

On the question to agree to the original motion, the yeas and nays being required by Mr. A. Lee,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Bland,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Mercer,	no		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Read,	no	}	
	Mr. Beresford,	ay		

So it was resolved,

That the superintendant of finance, and the treasurer be, and they are hereby directed to lay before Congress, an account of all the notes which have been issued by them on the credit of the United States, together with an account of what part of those notes are now in circulation.

It was then moved by Mr. Read, seconded by Mr. Holten,

That Congress proceed to-morrow to appoint five committees, to be composed of five members each, for the purposes mentioned and pointed out by the act of Congress of the 17th June, 1782.



On the question to agree to this, the yeas and nays being required by Mr. Carroll,

<i>Massachusetts,</i>	Mr. Gerry,	ay	}	ay
	Mr. Holten,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Bland,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	*
<i>South-Carolina,</i>	Mr. Rutledge,	ay		
	Mr. Izard,	ay	}	ay
	Mr. Read,	ay		

So it was resolved in the affirmative.

A motion was made by Mr. Mercer, seconded by Mr. Read, in the words following :

Whereas the offices of Congress have been ever open to the members thereof for information ; and the late removal of Congress from Philadelphia, having rendered access to the office of finance inconvenient to the members ; *Resolved* therefore, that the superintendant of finance be directed to transmit any information relating to that office which shall be required by a member of Congress.

A motion was made by Mr. Howell, seconded by Mr. Higginson, that the preamble be struck out : and on the question, shall the preamble stand ? the yeas and nays being required by Mr. Mercer,

<i>Massachusetts,</i>	Mr. Gerry,	no	}	no
	Mr. Holten,	no		
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Bland,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	*
<i>South-Carolina,</i>	Mr. Rutledge,	no		
	Mr. Izard,	ay	}	ay
	Mr. Read,	ay		



So the question was lost, and the preamble was struck out.

The previous question was then moved on the resolution by the state of New-York, and seconded by the state of Connecticut; and on the question to agree to the previous question, the yeas and nays being required by Mr. Mercer,

<i>Massachusetts,</i>	Mr. Gerry,	ay	}	ay
	Mr. Holten,	ay		
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>Pennsylvania,</i>	Mr. Peters,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M'Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Lee,	no		
	Mr. Mercer,	no	}	no
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
<i>South-Carolina,</i>	Mr. Rutledge,	ay	}	ay
	Mr. Izard,	ay		
	Mr. Read,	ay		

So the previous question was lost.

THURSDAY, September 11, 1783.

On motion of Mr. M'Henry, seconded by Mr. Peters,

*Resolved,* That the secretary at war be, and he is hereby directed to issue to captain North, aid-de-camp to major-general the baron Steuben, the brevet commission of major in the army of the United States.

Congress resumed the consideration of the report of the committee on the cession of Virginia; after debate a motion was made by Mr. M'Henry, seconded by Mr. Carroll,

That the consideration of the report on the cession from Virginia, be postponed till Thursday next; in order that notice may be given to the states of New-Jersey and Delaware, or those states which it may be reasonably expected can give their attendance.

A motion was made by Mr. Higginson, seconded by Mr. Holten, to strike out what follows the words "Thursday next:" And on the question, shall those words stand? the yeas and nays being required by Mr. Carroll,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	no	}	divided.
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no



<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Montgomery,</i>	<i>ay</i>		
	Mr. <i>Peters,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M<sup>r</sup> Henry,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Lee,</i>	<i>ay</i>		
	Mr. <i>Mercer,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>		
	Mr. <i>Read,</i>	<i>no</i>		
	Mr. <i>Beresford,</i>	<i>no</i>		

So it passed in the negative, and the words were struck out.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	}	*
	Mr. <i>Holten,</i>	<i>no</i>		
<i>Massachusetts,</i>	Mr. <i>Higginson,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Ellery,</i>	<i>ay</i>		
	Mr. <i>Howell,</i>	<i>no</i>		
<i>Rhode-Island,</i>	Mr. <i>S. Huntington,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>B. Huntington,</i>	<i>no</i>		
<i>Connecticut,</i>	Mr. <i>Duane,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>L'Hommedieu,</i>	<i>no</i>		
<i>New-York,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Montgomery,</i>	<i>ay</i>		
	Mr. <i>Peters,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M<sup>r</sup> Henry,</i>	<i>ay</i>		
<i>Maryland,</i>	Mr. <i>Bland,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Lee,</i>	<i>no</i>		
	Mr. <i>Mercer,</i>	<i>no</i>		
<i>Virginia,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Rutledge,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Izard,</i>	<i>no</i>		
	Mr. <i>Read,</i>	<i>no</i>		
	Mr. <i>Beresford,</i>	<i>ay</i>		

So it passed in the negative.

SATURDAY, September 13, 1783.

A memorial from the hon. the minister plenipotentiary of France, was read, enclosing a commission of chevalier D'Annemours, consul-general of France, in the state of Maryland, the commonwealth of Virginia and the states of North-Carolina, South-Carolina and Georgia; whereupon,

*Ordered,* That the commission be registered, and that it be recognized, and an exequatur issued in due form.



Congress resumed the consideration of the report of the committee on the Virginia cession, and the same being amended, a motion was made by Mr. Carroll, seconded by Mr. M<sup>r</sup> Henry, to postpone the further consideration of the report, in order to take up the following :

“Whereas by the 6th article of the preliminary articles of peace between his Britannic majesty, and their most Christian and Catholic majesties, signed on the 3d day of November, 1762, and ratified the 10th day of February, 1763, it is stipulated and agreed, that, “the confines between the dominions of Great-Britain and France, on the continent of North-America, shall be irrevocably fixed by a line drawn along the middle of the river Mississippi, from its source as far as the river Iberville, and from thence by a line drawn along the middle of this river, and of the lakes Maurepas and Pontchartrain to the sea ; and to this purpose the most Christian king ceded in full right, and guarantees to his Britannic majesty, the river and port of Mobile, and every thing that he possesses on the left side of the river Mississippi, except the town of New-Orleans, and the island on which it is situated, which shall remain to France ; provided that the navigation of the river Mississippi, shall be equally free to the subjects of Great-Britain and France, in its whole breadth and length from its source to the sea, and that part expressly which is between the said island of New-Orleans, and the right bank of that river, as well as the passage both in and out of its mouth. And whereas by the 19th article of the said treaty, his Catholic majesty cedes and guarantees in full right to his Britannic majesty, all that Spain possesses in the continent of North-America, to the east or to the south-east of the river Mississippi.” And whereas by the articles of treaty between Great-Britain and the United States, done at Paris the 30th day of November, 1782, the boundaries of the United States are set forth, described and agreed to be by the 2d article of the said treaty, viz. “From the north-west angle of Nova-Scotia, viz. that angle which is formed by a line drawn due north from the source of St. Croix river, to the Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean, to the north-westernmost head of Connecticut river, thence down along the middle of that river to the 45th degree of north latitude ; from thence by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy ; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie ; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water communication between that lake and lake Huron ; thence along the middle of said water communication into lake Huron ; thence through the middle of the said lake to the water communication between that and lake Superior ; thence through lake Superior northward of the isles, Royal and Philipeaux, to the Long lake ; thence through the middle of said Long lake and the water communication between it and the lake of the Woods, to the said lake of the Woods ; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi ; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the



northernmost part of the 31st degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of 31 degrees north of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence: comprehending all islands within 20 leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East-Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic ocean; excepting such islands as now are or heretofore have been within the limits of the said province of Nova-Scotia."

And whereas by the 6th and 11th articles of the treaty of alliance, eventual and defensive, between the most Christian king, and the United States, signed at Paris the 6th of February, 1778, and ratified by the United States in Congress assembled, the 4th day of May, 1778, the most Christian king renounces for ever the possession of the islands of Bermudas, as well as of any part of the continent of North-America, which before the treaty of Paris in 1763, or in virtue of that treaty were acknowledged to belong to the crown of Great-Britain or to the United States, heretofore called British colonies, or which are at this time, or have lately been under the power of the king and crown of Great-Britain, and guarantees to the United States, their possessions and the additions or conquests that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great-Britain in North-America. And whereas the territory ceded and guaranteed as aforesaid, comprehends a large extent of country lying without the lines, limits or acknowledged boundaries of any of the United States, over which, or any part of which, no state can or ought to exercise any sovereign, legislative or jurisdictional faculty, the same being acquired under the confederation, and by the joint and united efforts of all. And whereas several of the states acceded to the confederation under the idea held forth by the state of Maryland, in her instructions to her delegates, entered on the journals of Congress, May 21st, 1779, viz. "that a country unsettled at the commencement of this war, claimed by the British crown, and ceded to it by the treaty of Paris, if wrested from the common enemy, by the blood and treasure of the thirteen states, should be considered as a common property, subject to be parcelled out by Congress, into free, convenient and independent governments, in such manner, and at such times, as the wisdom of that assembly shall hereafter direct." And whereas the said state of Maryland, especially for herself, provides and declares, in an act entered on the journals of Congress, the 12th February, 1781, entitled, an act to empower the delegates of this state in Congress, to subscribe and ratify the articles of confederation, viz. "that by acceding to the said confederation, this state doth not relinquish or intend to relin-



quish any right or interest she hath with the other united or confederated states, to the back country ; but claims the same as fully as was done by the legislature of this state, in their declaration which stands entered on the journals of Congress ; this state relying on the justice of the several states hereafter, as to the said claim made by this state." And whereas the United States have succeeded to the sovereignty over the western territory, and are thereby vested as one undivided and independent nation, with all and every power and right exercised by the king of Great-Britain, over the said territory, or the lands lying and situated without the boundaries of the several states, and within the limits above described ; and whereas the western territory ceded by France and Spain to Great-Britain, relinquished to the United States by Great-Britain, and guaranteed to the United States by France as aforesaid, if properly managed, will enable the United States to comply with their promises of land to their officers and soldiers ; will relieve their citizens from much of the weight of taxation ; will be a means of restoring national credit, and if cast into new states, will tend to increase the general happiness of mankind, by rendering the purchase of land easy, and the possession of liberty permanent ; therefore,

*Resolved*, That a committee be appointed to report the territory lying without the boundaries of the several states, and within the limits of the United States, and to report the most eligible part or parcels thereof, for one or more convenient and independent states ; and also to report an establishment for a land-office."

On the question to postpone for the purpose aforesaid, the yeas and nays being required by Mr. Carroll,

<i>New-Hampshire</i> ,	Mr. Foster,	ay	}	*
<i>Massachusetts</i> ,	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island</i> ,	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut</i> ,	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York</i> ,	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey</i> ,	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay
<i>Pennsylvania</i> ,	Mr. Fitzsimmons,	no		
	Mr. Montgomery,	ay	}	no
	Mr. Peters,	no		
<i>Maryland</i> ,	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay		
<i>Virginia</i> ,	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no	}	no
<i>North-Carolina</i> ,	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	no
<i>South-Carolina</i> ,	Mr. Rutledge,	no		
	Mr. Read,	no	}	no
	Mr. Beresford,	no		



So the question was lost.

The report as amended, is as follows :

The committee, consisting of Mr. Rutledge, Mr. Ellsworth, Mr. Bedford, Mr. Gorham and Mr. Madison, to whom were referred the act of the legislature of Virginia, of the 2d January, 1781, and the report thereon ; report, that they have considered the several matters referred to them, and observe, that the legislature of Virginia, by their act of the 2d January, 1781, resolved that they would yield to the Congress of the United States, for the benefit of the said states, all right, title and claim which the said commonwealth hath to the lands north-west of the river Ohio, upon the following conditions, viz.

1. That the territory so ceded, should be laid out and formed into states, containing a suitable extent of territory, not less than 100 nor more than 150 miles square, or as near thereto as circumstances will admit : and that the states so formed, should be distinct republican states, and admitted members of the federal union ; having the same rights of sovereignty, freedom and independence as the other states.

2. That Virginia should be allowed and fully reimbursed by the United States, her actual expenses in reducing the British posts at the Kaskaskies and St. Vincents, the expenses of maintaining garrisons and supporting civil government there, since the reduction of the said posts, and in general all the charge she has incurred on account of the country on the north-west side of the Ohio river, since the commencement of the present war.

3. That the French and Canadian inhabitants and other settlers of the Kaskaskies, St. Vincents, and the neighbouring villages, who have professed themselves citizens of Virginia, should have their possessions and titles confirmed to them, and should be protected in the enjoyment of their rights and liberties ; for which purpose troops should be stationed there at the charge of the United States, to protect them from the encroachments of the British forces at Detroit or elsewhere, unless the events of the war should render it impracticable.

4. As colonel George Rogers Clarke, planned and executed the secret expedition by which the British posts were reduced, and was promised if the enterprize succeeded, a liberal gratuity in lands in that country, for the officers and soldiers who first marched thither with him ; that a quantity of land not exceeding 150,000 acres, should be allowed and granted to the said officers and soldiers, and the other officers and soldiers that have been since incorporated into the said regiment, to be laid off in one tract, the length of which not to exceed double the breadth, in such place on the north-west side of the Ohio, as the majority of the officers should choose, and to be afterwards divided among the said officers and soldiers, in due proportion according to the laws of Virginia.

5. That in case the quantity of good lands on the south-east side of the Ohio, upon the waters of Cumberland river, and between the Green river and Tennessee river, which have been reserved by law for the Virginia troops upon continental establishment, should from the North-Carolina line, bearing in further upon the Cumberland lands than was expected, prove insufficient for their legal bounties, the deficiency



should be made up to the said troops in good lands, to be laid off between the rivers Scioto and little Miamis, on the north-west side of the river Ohio, in such proportions as have been engaged to them by the laws of Virginia.

6. That all the lands within the territory so ceded to the United States, and not reserved for or appropriated to any of the before-mentioned purposes, or disposed of in bounties to the officers and soldiers of the American army, should be considered as a common fund for the use and benefit of such of the United American States, as have become or shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general charge and expenditure, and should be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatsoever.

7. And therefore that all purchases and deeds from any Indian or Indians, or from any Indian nation or nations, for any lands within any part of the said territory which have been or should be made for the use or benefit of any private person or persons whatsoever, and royal grants within the ceded territory, inconsistent with the chartered rights, laws and customs of Virginia, should be deemed and declared absolutely void and of no effect, in the same manner as if the said territory had still remained subject to and part of the commonwealth of Virginia.

8. That all the remaining territory of Virginia, included between the Atlantic ocean and the south-east side of the river Ohio, and the Maryland, Pennsylvania and North-Carolina boundaries, should be guaranteed to the commonwealth of Virginia, by the said United States.

Whereupon your committee are of opinion, that the first condition is provided for by the act of Congress of the 10th of October, 1780.

That in order to comply with the 2d condition so far as has been heretofore provided for by the act of the 10th of October, 1780, it is agreed that one commissioner should be appointed by Congress, one by the state of Virginia, and another by those two commissioners, who, or a majority of whom, should be authorized and empowered to adjust and liquidate the account of the necessary and reasonable expenses incurred by the said state, which they may judge to be comprised within the true intent and meaning of the said recited act.

With respect to the third condition, the committee are of opinion, that the settlers therein described should have their possessions and titles confirmed to them, and be protected in the enjoyment of their rights and liberties.

Your committee are further of opinion, that the 4th, 5th and 6th conditions being reasonable, should be agreed to by Congress.

With respect to the 7th condition, your committee are of opinion, that it would be improper for Congress to declare the purchases and grants therein mentioned, absolutely void and of no effect; and that the 6th condition, engaging how the lands beyond the Ohio shall be disposed of is sufficient on this point.

As to the last condition, your committee are of opinion, that Congress cannot agree to guarantee to the commonwealth of Virginia, the land described in the said condition, without entering into a discus-



sion of the right of the state of Virginia to the said land ; and that by the acts of Congress it appears to have been their intention, which the committee cannot but approve to avoid all discussion of the territorial rights of individual states, and only to recommend and accept a cession of their claims whatsoever they might be, to vacant territory. Your committee conceive this condition of a guarantee, to be either unnecessary or unreasonable ; inasmuch as, if the land above-mentioned is really the property of the state of Virginia, it is sufficiently secured by the confederation, and if it is not the property of that state, there is no reason or consideration for such guarantee.

Your committee therefore upon the whole recommend, that if the legislature of Virginia make a cession conformable to this report, Congress accept such cession.

On the question to agree to this report, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
<i>Massachusetts,</i>	Mr. Gerry,	ay	
	Mr. Holten,	ay	
	Mr. Higginson,	ay	} ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	
	Mr. Howell,	ay	} ay
<i>Connecticut,</i>	Mr. S. Huntington,	ay	
	Mr. B. Huntington,	ay	} ay
<i>New-York,</i>	Mr. Duane,	ay	
	Mr. L'Hommedieu,	ay	} ay
<i>New-Jersey,</i>	Mr. Boudinot,	no	
	Mr. Clark,	no	} no
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	
	Mr. Montgomery,	no	} ay
	Mr. Peters,	ay	
<i>Maryland,</i>	Mr. Carroll,	no	} no
	Mr. M. Henry,	no	
<i>Virginia,</i>	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
	Mr. Bland,	ay	
	Mr. Lee,	ay	
	Mr. Mercer,	ay	} ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay	
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Rutledge,	ay	} ay
	Mr. Read,	ay	
	Mr. Beresford,	no	

So it was resolved in the affirmative.

On the report of a committee, consisting of Mr. Duane, Mr. Rutledge and Mr. Read, to whom were referred certain papers respecting the mutiny of a part of the continental troops of the Pennsylvania line : Congress agreed to the following act and resolutions.

*The United States in Congress assembled.*

To all to whom these presents shall come be seen or made known, send greeting :

WHEREAS at a general court-martial, whereof brigadier-gene-



ral John Patterson was president, lately held near the city of Philadelphia, in the state of Pennsylvania, for the trial of persons promoting or concerned in the late mutiny of part of the Pennsylvania line of continental troops, stationed at Lancaster, and in the barracks of the city of Philadelphia, in the said state, Christian Nagle and John Morrison, late serjeants in the 3d Pennsylvania regiment, were severally charged with, and convicted of a breach of the 3d article of the 2d section of the rules and articles of war, and by award of said court, were severally sentenced to suffer death. And whereas also, gunner Lilly and drummer Horn, of the 4th or Pennsylvania artillery, and Thomas Flowers and William Carman, foldiers in the said 3d Pennsylvania regiment, were severally charged with, and convicted of a breach of the said article and section of the rules and articles of war, and by award of the said court, were severally sentenced to receive corporal punishment. And whereas the said prisoners appear not to have been principals in the said mutiny, and no lives having been lost, nor any destruction of property committed; now know ye, that of special grace and mere motion, and by virtue of the power and authority vested by the articles of confederation and perpetual union, the United States in Congress assembled, have thought fit to pardon and remit, and by these presents do grant, a full, free and absolute pardon and remission to the said Christian Nagle, John Morrison, gunner Lilly, drummer Horn, Thomas Flowers and William Carman, and each of them, of all judgments or sentences of death, or other corporal punishment, pains or penalties whatsoever given or awarded by the said general court-martial: And we do strictly charge and command, all and singular our officers, civil and military, to surcease from longer molestation or imprisonment of the said Christian Nagle, John Morrison, gunner Lilly, drummer Horn, Thomas Flowers and William Carman; and do further will and require, that they severally from henceforth go free and acquit of their several convictions, judgments and sentences aforesaid.

Done in Congress this 13th day of September, 1783.

*Resolved*, That the sentences of the court-martial acquitting captain Christie, captain Symonds and lieutenant Huston, be, and they are hereby confirmed.

*Resolved*, That the thanks of Congress be given to major-general Robert Howe, for the prudence and propriety with which he executed the enquiry into the late mutiny of a part of the Pennsylvania line of continental troops.

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MONDAY, September 15, 1783.

On the report from the secretary at war:

*Resolved*, That the commission of lieutenant-colonel by brevet, in the army of the United States, be issued to major Murnan.

On motion of Mr. Carroll, seconded by Mr. M<sup>r</sup>. Henry,

*Resolved*, That general Washington have access to the secret papers of Congress, under the same injunctions as members.

On the report of the agent of marine, to whom was referred a memorial from John Jordan, James M<sup>r</sup>. Kinsey and Joseph Bruffel, Congress came to the following resolution, by the vote of nine states.



Whereas John Jordan, James M'Kinsey and Joseph Bruffel, ordinary seamen belonging to the navy of the United States, have lost their limbs in action, on board the ship Bonne Homme Richard, commanded by captain John Paul Jones, on the 23d day of September, 1779, fighting under the American flag.

*Resolved*, That the said John Jordan, James M'Kinsey and Joseph Bruffel, be allowed for their support, 40 dollars per annum each, to be paid quarterly, and to commence from the time their pay ceased in the navy, until the further order of Congress.

— ❁ —  
TUESDAY, September 16, 1783.

Congress took into consideration the report of a committee, consisting of Mr. S. Huntington, Mr. Gerry and Mr. Foster, to whom was referred a report on a letter of the 11th of July last, from the legislature of Massachusetts, and the first part being amended so as to read,

That after the first Monday in November next, the establishment and salaries of all officers in the marine department, excepting the agent of marine, shall terminate and cease; and that from and after the said first day of November next,                      dollars per annum, shall be allowed to the agent of marine, for managing the business of that department, and for payment of the clerks and contingent expenses of the office: He shall appoint and remove at pleasure all persons employed under him, and be responsible for their conduct in office.

A motion was made by Mr. Bland, seconded by Mr. Howell, to strike out the words, "excepting the agent of marine:" And on the question, shall those words stand? the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
	Mr. Gerry,	ay	
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Higginson,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} divided.
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} divided.
	Mr. Condict,	no	
<i>Maryland,</i>	Mr. Carroll,	no	} no
	Mr. M'Henry,	no	
<i>Virginia,</i>	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
	Mr. Bland,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	

So the question was lost, and the words were struck out.



*WEDNESDAY, September 17, 1783.*

On motion of Mr. Duane, seconded by Mr. Gerry,

Whereas it is the duty of Congress at all times, but more especially when their constituents are exposed to heavy taxes, and the finances greatly embarrassed, to embrace every opportunity to introduce economy in the public expenditures. And whereas since a return of the blessings of peace, not only the business of many of the officers on the domestic civil list is decreased, but the charge of their subsistence is greatly moderated. And whereas by a change of system in conducting the affairs of the United States, at foreign courts, great savings may be also made to the public.

*Resolved* therefore, That a committee be appointed to consider what reductions may be made in the civil list, and to report specially on each department.

*Ordered*, That the committee consist of five.

*Ordered*, That the first part of the report which was under consideration yesterday, so far as respects the civil list, be referred to the said committee.

Congress then resumed the consideration of the report of the committee, to whom was referred the report on a letter of the 11th July, from the legislature of Massachusetts, which is in the following words:

Whereas the legislatures, as well as the citizens of several states, are opposed to the allowance of half-pay to officers of the army, and also to the commutation, made by an act of Congress of 22d March last; and it is the request of the delegates of such states, that the legislatures thereof may have an opportunity of effecting a compromise with the officers of their respective lines, and of enabling them to retain the affection and esteem of their fellow-citizens.

*Resolved*, That the secretary at war be directed to transmit to the legislatures of the states of Massachusetts, Rhode-Island and Providence Plantations, and of such other states as may apply for the same, a list of the officers belonging to such states respectively, to whom half-pay or the commutation has been promised by Congress, and of the sums to those officers severally due, specifying particularly the arrearages of their pay, clothing and rations, to the 1st of January last, and the amount of the commutation; in order that the said legislatures, if they shall deem it expedient, may reward the services of the said officers, in a way that shall be mutually agreeable to them.

That the public securities which have been or may be issued to the said officers, for their arrearages or commutation, and which in consequence of a compromise may by them be assigned to their respective states, shall be received by the superintendant of finance, from such states, in payment of requisitions of Congress: provided that such officers as may not accept the proposals of their respective states, for rewarding their services aforesaid, shall be nevertheless entitled to the commutation, and every other emolument granted them by acts of Congress.

A motion was made by Mr. Ellery, seconded by Mr. Condict, to strike out the words, "provided that such officers, &c." to the end: And on the question, shall those words stand? the yeas and nays being required by Mr. Ellery,



<i>New-Hampshire,</i> <i>Massachusetts,</i>	Mr. Foster,	ay	}	*
	Mr. Gerry,	ay		
<i>Rhode-Island,</i>	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
	Mr. Ellery,	no		
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
	Mr. Fitzsimmons,	ay		
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	ay
	Mr. Carroll,	ay		
<i>Maryland,</i>	Mr. M <sup>r</sup> Henry,	ay	}	ay
	Mr. Jones,	ay		
	Mr. Madison,	ay		
	Mr. Bland,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	ay
	Mr. Beresford,	ay		

So it was resolved in the affirmative.

A motion was then made by Mr. Gerry, seconded by Mr. Holten, after the words "in payment of requisitions of Congress," to add, "not appropriated to the payment of the interest of the public debt:" And on the question to agree to this amendment, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i> <i>Massachusetts,</i>	Mr. Foster,	ay	}	*
	Mr. Gerry,	ay		
<i>Rhode-Island,</i>	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
	Mr. Ellery,	no		
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	divided.
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Montgomery,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		



North-Carolina,	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
South-Carolina,	Mr. Read,	no	}	divided.
	Mr. Beresford,	ay		

So the question was lost.

THURSDAY, September 18, 1783.

Congress resumed the consideration of the report which was under debate yesterday, and a motion was made by Mr. Bland, seconded by Mr. Hawkins, to strike out the words, "the legislatures as well as the citizens of several states," and to insert in lieu thereof, "it appears from the letter of the 11th July, 1783, from the legislature of the state of Massachusetts, that the legislature of that state:" And on the question to agree to that amendment, the yeas and nays being required by Mr. Gerry,

New-Hampshire,	Mr. Foster,	no	}	*
Massachusetts,	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Higginson,	no		
Rhode-Island,	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
Connecticut,	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
New-York,	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
New-Jersey,	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
Pennsylvania,	Mr. Fitzsimmons,	ay	}	divided.
	Mr. Montgomery,	no		
Maryland,	Mr. M'Henry,	ay	}	*
Virginia,	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
	Mr. Lee,	no		
	Mr. Mercer,	ay	}	
North-Carolina,	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	ay
South-Carolina,	Mr. Read,	ay		
	Mr. Beresford,	ay	}	ay

So the question was lost.

A division of the question was called for; and on the question to agree to the report, (including the preamble) as far as the word "provided," the yeas and nays being required by Mr. Gerry,

New-Hampshire,	Mr. Foster,	ay	}	*
Massachusetts,	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
Rhode-Island,	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		



Connecticut,	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
New-York,	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
New-Jersey,	Mr. Boudinot,	no	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay	}	no
Pennsylvania,	Mr. Fitzsimmons,	no		
	Mr. Montgomery,	no	}	*
Maryland,	Mr. M <sup>r</sup> Henry,	no		
Virginia,	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no	}	no
	Mr. Lee,	ay		
	Mr. Mercer,	no	}	no
North-Carolina,	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	no
South-Carolina,	Mr. Read,	no		
	Mr. Beresford,	no	}	no

So the question was lost.

A question being taken on the latter part, passed in the negative.

Congress then resumed the consideration of the report of the committee, consisting of Mr. Duane, Mr. A. Lee and Mr. S. Huntington, to whom was referred a letter of the 11th July last, from the legislature of Massachusetts, which is in the words following :

“ That the subjects of complaint in the said letter are, the grant of half-pay for life to the officers of the army ; the commutation granted to the said officers of five years whole pay, in lieu of the said half-pay ; and the salaries allowed to the civil officers of Congress.

The half-pay, your committee observe, was granted at a critical period of the war, when our finances were embarrassed, our credit impaired, our army distressed, the officers discontented, and resignations so general, as to threaten the dissolution of a corps on whose military experience the public safety, in the judgment of the commander in chief, greatly depended.

The first grant was limited to seven years, but not being deemed satisfactory to the army, the evil of resignations continued to prevail to so alarming a degree, as to require a more effectual remedy ; and the grant of half-pay to the officers was extended for life. Your committee are persuaded that no doubt can be entertained, but that Congress were of opinion, that this provision was alone competent, if it was not the only one at that time in their power, to establish a military force capable of opposing the dangers with which the United States were then surrounded. That although it is to be regretted that any measure has been adopted by Congress, which has given uneasiness to the legislature or the citizens of the Massachusetts ; yet experience has shewn how essentially that provision in question has contributed to the stability of the army, to its perfection in discipline, to the vigor and decision of its operations, and to those brilliant successes which have hastened the blessings of a safe and honorable peace.

Your committee beg leave further to observe, that from an earnest



desire to give satisfaction to such of the states as expressed a dislike to the half-pay establishment, a sum in gross was proposed by Congress, and accepted by the officers, as an equivalent, for their half-pay. That your committee are informed, that such equivalent was ascertained on established principles which are acknowledged to be just, and adopted in similar cases: but that if the objections against the commutation were ever so valid, yet as it is not now under the arbitration of Congress, but an act constitutionally and finally adopted, and the national faith pledged to carry it into effect, they could not be taken into consideration.

With regard to the salaries of civil officers it may be observed, that the necessities of life have been very high during the war: hence it has happened that even the salaries complained of, have not been found sufficient to induce persons properly qualified, to accept of many important offices, and the public business is left undone.

Your committee are nevertheless of opinion, that since the cessation of hostilities, the expenses of living is moderated, and that a considerable reduction may be made in the civil list."

A motion was made by Mr. M'Henry, seconded by Mr. Mercer, to commit the report: And on the question for committing, the yeas and nays being required by Mr. Holten,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	divided.
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	no	}	ay
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay		
	Mr. Montgomery,	ay	}	ay
<i>Maryland,</i>	Mr. M'Henry,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	*
	Mr. Madison,	ay		
	Mr. Bland,	ay	}	ay
	Mr. Lee,	ay		
	Mr. Mercer,	ay	}	ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	ay
<i>South-Carolina,</i>	Mr. Read,	ay		
	Mr. Beresford,	ay	}	ay

So it was resolved in the affirmative.

FRIDAY, September 19, 1783.

The committee, consisting of Mr. Madison, Mr. Mercer and Mr.



Duane, to whom was referred the report of the committee, on the letter of the 11th July, from the legislature of Massachusetts, brought in a report, which was taken into consideration, and the following paragraph being under debate: "And resignations so general as to threaten the dissolution of a corps, on whose military experience the public safety, in the judgment of the commander in chief, greatly depended."

A motion was made by Mr. Howell, seconded by Mr. Ellery, to strike out the words, "in the judgment of the commander in chief:" And on the question, shall those words stand? the yeas and nays being required by Mr. M<sup>r</sup> Henry,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay		
	Mr. Higginson,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	ay	}	ay
<i>New-York,</i>	Mr. Duane,	ay		
	Mr. L'Hommedieu,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Condict,	no	}	divided.
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay		
	Mr. Montgomery,	ay	}	ay
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>r</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Bland,	ay		
	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	*

So it was resolved in the affirmative.

On the consideration of the paragraph in which is the following sentence: "But if the objections against the commutation were ever so great, yet as it is not now under the arbitration of Congress, but an act constitutionally and finally adopted." A motion was made by Mr. Howell, seconded by Mr. Condict, to strike out the words, "constitutionally and:" And on the question, shall those words stand? the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no		
	Mr. Higginson,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	no	}	divided.



<i>Connecticut,</i>	Mr. S. Huntington,	no	} divided.
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} divided.
	Mr. Condict,	no	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Montgomery,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>r</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Jones,	ay	} ay
	Mr. Madison,	ay	
	Mr. Bland,	ay	
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	} *

So the question was lost, and the words were struck out.

*SATURDAY, September 20, 1783.*

Congress took into consideration the report of a committee, consisting of Mr. Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins and Mr. A. Lee, to whom were referred instructions to the delegates of Pennsylvania, and the same being read as follows :

“ That the legislature of Pennsylvania be informed, in answer to the request of the delegates of that state, in consequence of instructions from the said legislature of the 13th inst. that Congress have no objection to a conference being held on behalf of the state of Pennsylvania, with the Indians, on their borders, respecting a purchase to be made by and at the expense of the said state, of lands within the limits thereof; provided no engagements relative to peace or war with the said Indians, be entered into by the said state, the power of holding treaties on this subject, being vested by the confederation, solely in the United States in Congress assembled. And also provided, that due notice of such meeting be given to the executive of Virginia and New-York, who shall have it in their option to send commissioners to the said conference.”

A motion was made by Mr. Gerry, seconded by Mr. Ellery, that the farther consideration of the report be postponed until Thursday next : And on the question for postponing, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
	Mr. Gerry,	ay	
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Higginson,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} divided.
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	no	} divided.
	Mr. L'Hommedieu,	ay	



<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Montgomery,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	*

So the question was lost.

The report having been then amended, so as to read,

“ That Congress have no objection to a conference being held on behalf of the state of Pennsylvania, with the Indians, on their borders, for the sole purpose of making a purchase by and at the expense of the said state, of lands within the limits thereof; provided that due notice of such meeting be given to the executives of Virginia and New-York, who shall have it in their option to send commissioners to the said conference.”

A motion was made by Mr. Higginson, seconded by Mr. Holten, farther to amend the report, by adding after the words “ thereof,” the following words: “ After terms of accommodation shall have been agreed on between the United States and those Indians:” And on the question to agree to this amendment, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	no		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Montgomery,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	no	}	*

So the question was lost.

A division of the question on the report was then called for; and on the question to agree to the report as amended, so far as the proviso, the yeas and nays being required by Mr. Fitzsimmons,



<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Higginson,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
<i>Maryland,</i>	Mr. Carroll,	no	}	*
<i>Virginia,</i>	Mr. Jones,	ay		
	Mr. Madison,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	*

So the question was lost.

A motion was then made by Mr. Duane, seconded by Mr. Ellery, in the words following:

Whereas the delegates of the state of Pennsylvania, have laid before Congress, a resolution of the legislature of Pennsylvania, in the words following:

*State of Pennsylvania, in General Assembly, Friday Sept. 12, 1783, A.M.*

The committee appointed yesterday, to whom was re-committed the report of the committee, on the subject of holding a conference with the supreme executive council, respecting the lands appropriated for the use of the Pennsylvania line, made report, which was read; and on motion and by special order, the same was read the second time, and adopted as follows, viz.

The committee to whom the report of a committee, on the subject of a conference to be held with the supreme executive council, respecting the lands appropriated for the use of the Pennsylvania line, was re-committed, with instructions to report to this house, the best and most expeditious mode for removing the obstructions to the surveying of the said lands, beg leave to report,

That they have deliberately considered the important business submitted to them, with the very interesting consequences which it involves: they find that the sole obstruction to laying off the before-mentioned land, originates in the disposition of the Indians, who claim a right to the territory in question, and will not peaceably suffer it to be occupied or disposed of without receiving, according to uniform practice, since the earliest settlement of the state, a consideration for the same.

Your committee therefore are of opinion, that a purchase from the



original claimants is the most dignified, humane, expeditious and economical mode by which this house can enable the surveyor-general to lay off and survey the said district. And they beg leave further to observe, that although the articles of the confederation do not by any means explicitly restrict this house from entering on this business independent of Congress, yet being deeply impressed with the delicacy of touching any subject of federal relation, but with the most deliberate caution; and as the letter of a clause in the 9th section appears to involve a doubt, they think proper to submit the following resolution:

*Resolved*, That the following instructions be forwarded without delay to our delegates in Congress, with injunctions to them, to procure as expeditiously as possible, and transmit to this house, the sense of Congress on the subject.

Extract from the minutes,

PETER Z. LLOYD, *Clerk of the General Assembly*.

And the said delegates having also laid before Congress an instruction from the said legislature, in the words following, viz.

*State of Pennsylvania, in General Assembly, September 12, 1783.*

GENTLEMEN,

YOU are hereby instructed to lay before Congress the peculiar situation of the state of Pennsylvania, which renders a conference with the Indian nations that live adjoining to our frontiers, at this time necessary.

The general assembly of this commonwealth, by their resolve of the 7th of March, A. D. 1780, promised certain donations of land to be laid off to their officers and soldiers at the end of the war; and have since that time, by a particular law, appropriated the lands belonging to this state, westward of the Ohio and Allegheny rivers, for that purpose, and for the purpose of redeeming the certificates of depreciation.

The time is now come when justice must be done to our officers and soldiers, as well respecting the said lands as their certificates of depreciation.

The custom of Pennsylvania has always been to purchase the right of possession from the Indian natives, as being more consonant to justice, and less expensive than force. This, however, cannot be done without some convention or conference with the Indians for that purpose.

Although this business may be said strictly to regard only the internal police of Pennsylvania, and the conference proposed does not extend to any description of men without the limits of the United States, nor regard any of the great objects of peace or war; yet our high respect for the confederation, determines us to lay open the whole design of the state to Congress.

Sensible likewise as we are, that the whole expense of this particular business must rest with Pennsylvania; yet perhaps the wisdom of Congress may improve this conference to the general benefit of the union.

We wish you to use all reasonable expedition in this matter; and hope the measures we are taking for the satisfaction of the Pennsyl-



vania line, will meet with the ready concurrence and approbation of the great council of the nation.

By order of the house,

FRED. A. MUHLENBERG, *Speaker.*

The honorable the delegates of Pennsylvania.

*Resolved*, That the legislature of Pennsylvania be informed in answer to the said representation, that as soon as an agreement shall have taken place for the cessation of hostilities between the United States and the Indians engaged on the side of the British, in the prosecution of the war, (for which, measures are now under deliberation) Congress will cheerfully consent to the negociation proposed by the said legislature, for the purchase of the Indian claim to lands within the limits of that state.

On the question to agree to the foregoing motion, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Higginson,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Montgomery,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	*
<i>Virginia,</i>	Mr. Jones,	no		
	Mr. Madison,	no	}	no
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	divided.
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	ay	}	*

So the question was lost.

MONDAY, September 22, 1783.

Mr. James Tilton, a delegate for the state of Delaware, attended, and took his seat.

Congress took into consideration the report of a committee, consisting of Mr. Williamson, Mr. Holten and Mr. Duane, to whom was referred an application from the delegates of Rhode-Island; whereupon,

*Resolved*, That application be immediately made to the ministers of the United States now in France, to know whether they have received any information concerning the capture of the schooner Good Fortune, of which George Hardwick was master, and of her being condemned at Cape Francois, on the 4th day of November last; and what further steps, if any have been taken, on that subject.



The grand committee, consisting of Mr. Foster, Mr. Holten, Mr. S. Huntington, Mr. Duane, Mr. Condict, Mr. Montgomery, Mr. M<sup>c</sup>Henry, Mr. Lee, Mr. Hawkins and Mr. Read, to whom was referred, "an ordinance prohibiting the settlement and purchase of certain lands," reported the draft of a proclamation, which was agreed to as follows :

*By the United States in Congress assembled.*

### A P R O C L A M A T I O N .

WHEREAS by the 9th of the articles of confederation, it is among other things declared, that "the United States in Congress assembled, have the sole and exclusive right and power of regulating the trade, and managing all affairs with the Indians, not members of any of the states, provided that the legislative right of any state, within its own limits, be not infringed or violated." And whereas it is essential to the welfare of the United States as well as necessary for the maintenance of harmony and friendship with the Indians, not members of any of the states, that all cause of quarrel or complaint between them and the United States, or any of them, should be removed and prevented ; therefore the United States in Congress assembled, have thought proper to issue their proclamation, and they do hereby prohibit and forbid all persons from making settlements on lands inhabited or claimed by Indians, without the limits or jurisdiction of any particular state, and from purchasing or receiving any gift or cession of such lands or claims without the express authority and directions of the United States in Congress assembled.

And it is moreover declared, that every such purchase or settlement, gift or cession, not having the authority aforesaid, is null and void, and that no right or title will accrue in consequence of any such purchase, gift, cession or settlement.

Done in Congress, at Princeton, this 22d day of September, in the year of our Lord 1783, and of our sovereignty and independence the eighth.

Congress took into consideration the report of a committee, consisting of Mr. Duane, Mr. Read, Mr. M<sup>c</sup>Henry, Mr. Huntington, Mr. Peters, Mr. Wilson and Madison, appointed to consider what jurisdiction may be proper for Congress in the place of their permanent residence ; whereupon,

*Ordered*, That the said report be referred to a committee of the whole house.

*Resolved*, That on Thursday next, Congress be resolved into a committee of the whole, to take into consideration the above report.

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TUESDAY, September 23, 1783.

On motion of Mr. S. Huntington, seconded by Mr. Mercer,

*Resolved*, That a copy of the resolution of the 13th inst. respecting major-general R. Howe, be transmitted to the commander in chief ; and that the general be requested to signify to the officers and soldiers of the detachment under the command of general Howe, that Congress are well satisfied with the promptitude and alacrity they discovered in executing the service on which they were employed.



THURSDAY, September 25, 1783.

At the request of Mr. Holten, a delegate for the state of Massachusetts, the letter of the 11th July, 1783, from the legislature of that state, was entered on the journal as follows:

*“ Commonwealth of Massachusetts.*

Boston, July 11, 1783.

SIR,

THE address of the United States in Congress assembled, has been received by the legislature of the commonwealth of Massachusetts; and while they consider themselves as bound in duty to give Congress the highest assurance, that no measures consistent with their circumstances, and the constitution of this government and the federal union, shall remain unattempted by them, to furnish those supplies which justice demands, and which are necessary to support the credit and honor of the United States; they find themselves under a necessity of addressing Congress, in regard to the subject of the half-pay of the officers of the army, and the proposed commutation thereof; with some other matters of a similar nature which produce among the people of this commonwealth the greatest concern and uneasiness, and involve the legislature thereof in no small embarrassments.

The legislature have not been unacquainted with the sufferings, nor are they forgetful of the virtue and bravery of their fellow-citizens in the army; and while they are sensible that justice requires they should be fully compensated for their services and sufferings, at the same time it is most sincerely wished that they may return to the bosom of their country, under such circumstances, as may place them in the most agreeable light with their fellow-citizens.

Congress, in the year 1780, resolved, that the officers of the army, who should continue therein during the war, should be entitled to half-pay for life; and at the same time resolved, that all such as should retire therefrom, in consequence of the new arrangement which was then ordered to take place, should be entitled to the same benefit: a commutation of which half-pay has since been proposed.

The general court are sensible that the United States in Congress assembled are, by the confederation, vested with a discretionary power, to make provision for the support and payment of the army, and such civil officers as may be necessary for managing the general affairs of the United States: but in making such provision, due regard ever ought to be had to the welfare and happiness of the people, the rules of equity, and the spirit and general design of the confederation. We cannot on this occasion avoid saying that, with due respect, we are of opinion, those principles were not duly attended to, in the grant of half-pay to the officers of the army; that, being in our opinion, a grant of more than an adequate reward for their services, and inconsistent with that equality which ought to subsist among citizens of free and republican states. Such a measure appears to be calculated to raise and exalt some citizens in wealth and grandeur, to the injury and oppression of others, even if the inequality which will happen among the officers of the army, who have performed from one to eight years service, should not be taken into consideration.



The observations which have been made with regard to the officers of the army, will in general apply to the civil officers appointed by Congress, who, in our opinion, have been allowed much larger salaries than are consistent with the state of our finances, the rules of equity, and a proper regard to the public good: and indeed, if the United States were in the most wealthy and prosperous circumstances, it is conceived that œconomy and moderation, with respect to grants and allowances, in opposition to the measures which have been adopted by monarchical and luxurious courts, would most highly conduce to our reputation, even in the eyes of foreigners, and would cause a people, who have been contending with so much ardour and expense for republican constitutions and freedom, which cannot be supported without frugality and virtue, to appear with dignity and consistency; and at the same time would, in the best manner, conduce to the public happiness.

It is thought to be essentially necessary, especially at the present time, that Congress should be expressly informed, that such measures as are complained of, are extremely opposite and irritating to the principles and feelings which the people of some eastern states, and of this in particular, inherit from their ancestry.

The legislature cannot, without horror, entertain the most distant idea of the dissolution of the union, which subsists between the United States, and the ruin which would inevitably ensue thereon; but with great pain they must observe, that the extraordinary grants and allowances which Congress have thought proper to make to their civil and military officers, have produced such effects in this commonwealth, as are of a threatening aspect. From these sources, and particularly from the grant of half-pay to the officers of the army, and the proposed commutation thereof, it has arisen, that the general court has not been able hitherto to agree in granting to the United States, an impost duty, agreeable to the recommendation of Congress; while the general assembly at the same time, have been deeply impressed with a sense of the necessity of speedily adopting some effectual measures, for supplying the continental treasury, for the restoration of the public credit, and the salvation of the country: and propose, as the present session is near terminating, again to take the subject of the impost duty into consideration early in the next. From these observations you may easily learn the difficult and critical situation the legislature is in, and they rely on the wisdom of Congress to adopt and propose some measure for relief in this extremity.

In the name and by order of the General Court,

We are your excellency's

most obedient humble servants,

S. ADAMS, *President of the Senate.*

TRISTRAM DALTON, *Speaker of  
the House of Representatives.*

His excellency the President of Congress.

Congress resumed the consideration of the report of the committee, to whom was referred the report of the committee, on the letter of the 11th July, from the legislature of Massachusetts, and the same being read as follows:



“ That the subjects of complaint in the said letter are the grant of half-pay for life to the officers of the army ; the commutation granted to the said officers of five years whole pay, in lieu of the said half-pay ; and the salaries allowed to the civil officers of Congress.

That without dwelling on the reasonableness and justice of a provision in favor of those whose former professions, pursuits and prospects, have in a long course of military service, given place to habits and acquirements, which on the return of peace, however honorable they may be to the possessor, cease to be a source of profit to him. Your committee observe, that the half-pay was granted at a critical period of the war, when our finances were embarrassed, our credit impaired, our army distressed, the officers discontented, and resignations so general, as to threaten the dissolution of a corps on whose military experience the public safety, in the judgment of the commander in chief, greatly depended. The first grant was limited to seven years, but not being deemed satisfactory by the army, the evil of resignations continued to prevail to so alarming a degree, as to require a more effectual remedy ; and the grant of half-pay to the officers was extended for life.

Your committee are persuaded that no doubt can be entertained, but that Congress were of opinion, that this provision was alone competent, if it was not the only one at that time in their power, to establish a military force capable of opposing the dangers with which the United States were then surrounded. That although it is to be regretted that any measure has been adopted by Congress, which has given uneasiness to the legislature or the citizens of the Massachusetts ; yet experience has shewn how essentially that provision in question has contributed to the stability of the army, to its perfection in discipline, to the vigor and decision of its operations, and to those brilliant successes which have hastened the blessings of a safe and honorable peace.

Your committee hold it to be the bounden duty of Congress, to leave no effort untried, that may enable them to conform to the known and express sense of their constituents ; but a perfect compliance with the wishes of every part, will often be found, after due consideration, impracticable.

Your committee consider the measure of Congress, as the result of a deliberate judgment, framed on a general view of the interests of the union at large. They conclude it to be a truth, that no state in this confederacy, can claim (more equitable than an individual in a society) to derive advantages from a union, without conforming to the judgment of a constitutional majority of those who compose it ; still, however, they conceive it will be found no less true, that if a state every way so important as Massachusetts, should withhold her solid support to constitutional measures of the confederacy, the result must be a dissolution of the union ; and then she must hold herself as alone responsible for the anarchy and domestic confusion that may succeed, and for exposing all these confederated states (who at the commencement of the late war, leagued to defend her violated rights) an easy prey to the machinations of their enemies, and the sport of European politics : And therefore they are of opinion, that Congress should still confide, that a free, enlightened and generous people, will never hazard consequences so perilous and alarming ; and in all circumstances



rely on the wisdom, temper and virtue of their constituents, which (guided by an all-wise Providence) have ever interposed to avert impending evils and misfortunes.

Your committee beg leave further to observe, that from an earnest desire to give satisfaction to such of the states as expressed a dislike to the half-pay establishment, a sum in gross was proposed by Congress, and accepted by the officers, as an equivalent for their half-pay. That your committee are informed, that such equivalent was ascertained on established principles which are acknowledged to be just, and adopted in similar cases: but that if the objections against the commutation were ever so valid, yet as it is not now under the arbitration of Congress, but an act finally adopted, and the national faith pledged to carry it into effect, they could not be taken into consideration.

With regard to the salaries of civil officers it may be observed, that the necessities of life have been very high during the war: hence it has happened that even the salaries complained of, have not been found sufficient to induce persons properly qualified, to accept of many important offices, and the public business is left undone.

Your committee are nevertheless of opinion, that since the cessation of hostilities, the expense of living is moderated, and that a considerable reduction may be made in the civil list."

On the question to agree to this report, the yeas and nays being required by Mr. Holten,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Tilton,	ay	}	ay
	Mr. Bedford,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
<i>Virginia,</i>	Mr. Madison,	ay		
<i>North-Carolina,</i>	Mr. Bland,	ay	}	ay
	Mr. Lee,	ay		
	Mr. Mercer,	ay		
	Mr. Hawkins,	ay		
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	ay
	Mr. Beresford,	ay		

So it was resolved in the affirmative.

The committee, consisting of Mr. Madison, Mr. Higginson and Mr.



Hamilton, to whom was referred a letter from Dr. Franklin, of the 15th of April last, reported the draught of a proclamation, which was agreed to as follows :

*By the United States in Congress assembled.*

A PROCLAMATION.

WHEREAS in pursuance of a plenipotentiary commission, given on the 28th day of September, 1782, to the hon. Benjamin Franklin, a treaty of amity and commerce between his majesty the king of Sweden and the United States of America, was on the 3d day of April, 1783, concluded by the said Benjamin Franklin, with a minister plenipotentiary, named for that purpose, by the said king : and whereas the said treaty hath been duly approved and ratified by the United States in Congress assembled, and a translation thereof made in the words following, to wit :

[See Treaty, page 219.]

Now therefore, to the end, that the said treaty may with all good faith be performed and observed on the part of these states, all the citizens and inhabitants thereof, and more especially all officers and others in the service of the United States, are hereby enjoined and required to govern themselves strictly in all things according to the stipulations above recited.

Done in Congress, at Princeton, this 25th day of September, in the year of our Lord 1783, and of our sovereignty and independence the eighth.

ELIAS BOUDINOT, *President.*

CHARLES THOMSON, *Secretary.*

The committee, consisting of Mr. Clark, Mr. Williamson and Mr. Duane, to whom was referred a memorial of Stephen Moore, report,

“ That the memorialist is proprietor of a tract of land containing by estimation 1100 acres, lying in the high-lands, on the west side of Hudson's river. That the fortifications and barracks at West-Point, and its vicinity are erected within the said tract, from which a considerable quantity of timber and wood has been taken for the use of those works, and the garrison posted there in the course of the war. That in pursuance of an act of Congress of the 18th day of December, 1779, the quarter-master-general returned an estimate of the damages which had been then sustained by the memorialist.

That on the 7th of February, 1780, an order issued on the treasury in favour of the said memorialist for 10,000 dollars, and also a draft on the governor of North-Carolina for 30,000 dollars, both towards satisfaction for the said damages.

That the memorialist claims not only the arrears due to him on the before-mentioned estimate, but also the value of wood and timber cut and taken for repairing and improving the said fortifications, and accommodating the garrison since that period ; together with a reasonable rent for the use of the said land.

Upon this state of facts, the committee are of opinion, that the interest of the public, and of the memorialist, will be best promoted by a final settlement of the claims under consideration, without any regard



to the estimates grounded on the before-mentioned act of the 18th of December, 1779."

Whereupon, *Resolved*, That the superintendant of finance take order for ascertaining the quantity and value of the wood and timber, also of the hay which have been taken from the lands of the memorialist, Stephen Moore, at West-Point, for the public use, by referring the same to the determination of three disinterested persons, who shall be upon oath, one of whom shall be chosen by the superintendant of finance, another by the memorialist, and a third by the two first chosen. They shall also determine the rent of the buildings formerly erected, and of the lands from the time they have been in possession of the public.

That the several sums already received by the memorialist from the United States, on account of the said lands, shall be charged against him according to its value by the scale of depreciation of the 28th day of June, 1780; and the balance shall be paid or secured to him in the same manner as other similar claims are paid or secured; the memorialist on his part giving sufficient security to indemnify the United States against any claims made upon the said lands.

According to order, the house was resolved into a committee of the whole, to take into consideration the report of the committee appointed to consider what jurisdiction may be proper for Congress in the place of their permanent residence.

Mr. Carroll was elected to the chair. After some time the president resumed the chair, and Mr. Carroll reported, that the committee of the whole had taken into consideration the report referred to them, and made some progress therein, but not having come to a conclusion, desire leave to sit again to-morrow.

*Ordered*, That leave be granted.

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FRIDAY, September 26, 1783.

On the report of the committee, consisting of Mr. Peters, Mr. M<sup>c</sup>Henry and Mr. Bland, to whom was referred a letter of the 5th, from the war-office, relative to furloughing the Pennsylvania line, and subsistence to officers.

*Resolved*, That in the opinion of Congress, the resolves of the 26th of May and 11th of June last, authorizing the commander in chief and secretary at war, to grant furloughs, are fully sufficient to enable them to take order in the business respecting the Pennsylvania line, and captain Second and lieutenant Beaulieu, mentioned in the letter from the assistant secretary at war of the 5th instant.

*Resolved*, That the commander in chief be authorized and directed to grant furloughs to such of the general, medical and staff officers, and the officers of the engineers, whose services are not, in his opinion, necessary for the troops remaining in actual service.

Congress took into consideration the report of a committee, consisting of Mr. Duane, Mr. Rutledge, Mr. Fitzsimmons, Mr. Gerry and Mr. Higginson, appointed to consider the late dispatches from the ministers of these United States at foreign courts, and to report what measures are necessary to be taken thereon: And the following paragraph being under debate, viz. "Your committee beg leave further to observe, that in those dispatches, and particularly in Mr. Adams's




letter of the 18th of July, a sentiment is earnestly inculcated, which is indeed obvious in itself; that the union requires additional support from its members, and that if the United States become respectable, it must be by means of more energy in government: for as some of the nations of Europe do not yet perceive this important truth, "that the sphere of their own commerce will be eventually enlarged by the growth of America, but on the contrary, manifest a jealousy of our future prosperity, it becomes the United States seriously to consider their own interests, and to devise such general systems and arrangements, commercial or political, as our own peculiar circumstances may, from time to time, require." Your committee, therefore, propose, that a special committee be appointed, to take this important subject under deliberation, and to report the result to Congress."

And on the question to agree to the foregoing paragraph, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Holten,	no	}	*
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no	}	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay	}	
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay	}	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay	}	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Montgomery,	ay	}	
	Mr. Peters,	ay	}	
<i>Delaware,</i>	Mr. Tilton,	ay	}	ay
	Mr. Bedford,	ay	}	
<i>Maryland,</i>	Mr. Carroll,	ay	}	*
<i>Virginia,</i>	Mr. Bland,	no	}	
	Mr. Lee,	no	}	no
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	
	Mr. Williamson,	ay	}	ay
<i>South-Carolina,</i>	Mr. Read,	ay	}	
	Mr. Beresford,	ay	}	ay

So it was resolved in the affirmative.

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SATURDAY, September 27, 1783.

On the report of a committee, consisting of Mr. Hamilton, Mr. M'Henry and Mr. Peters, to whom was referred a memorial of lieutenant-colonel Ternant;

*Resolved,* That lieutenant-colonel Ternant be informed, that Congress, in continuing general Armand in the command of his corps at the time of his promotion to his present rank, had reasons of a peculiar nature, without any intention derogatory to the merit of lieutenant-colonel Ternant, of whose useful and distinguished services in the several confidential and important stations in which he has been employed, they entertain a just sense.



*MONDAY, September 29, 1783.*

On the report of committee, consisting of Mr. Clark, Mr. Fitzsimmons and Mr. Hawkins, to whom was referred a memorial of Mark Bird, requesting that the chain made for the defence of Hudson's river, may be delivered to him at a reasonable price :

*Resolved*, That it is improper at this time to dispose of the chain made for the defence of Hudson's river.

On the report of a committee, consisting of Mr. Gerry, Mr. Lee and Mr. Carroll, to whom was referred a motion of Mr. Gerry,

*Resolved*, That the minister or ministers for negotiating peace in behalf of the United States, be, and they are hereby instructed to negotiate an explanation of the following paragraph of the declaration acceded to by the ministers plenipotentiary of the United States, the 20th January, 1783, relative to captures, viz. That the term should be one month from the Channel and North-sea, as far as the Canary islands inclusively, whether in the Ocean or the Mediterranean.

*Ordered*, That a copy of the above instruction be sent to the court of appeals, and to the executives of the several states respectively.

*TUESDAY, September 30, 1783.*

On the report of a committee, consisting of Mr. M<sup>c</sup>Henry, Mr. Peters and Mr. Bland, to whom was referred a letter of 15th May, from the secretary at war,

*Resolved*, That the secretary at war issue to all officers in the army, under the rank of major-general, who hold the same rank now that they held in the year 1777, a brevet commission one grade higher than their present rank, having respect to their seniority ; and that commissions for full colonels be granted to the lieutenant-colonels of 1777, the resolution of 27th May, 1778, notwithstanding.

On the report of a committee, consisting of Mr. M<sup>c</sup>Henry, Mr. Peters and Mr. Duane, to whom were referred a letter from captain Second, and sundry other papers,

*Resolved*, That captains Second and De Pontiere, late of Pulaski's legion, be promoted to the rank of majors by brevet in the army of the United States ; their relative rank to be settled according to the dates of their present commissions.

*Resolved*, That lieutenant Beaulieu be promoted to the rank of captain by brevet in the army of the United States.

On a report from the secretary at war :

*Resolved*, That the brevet commission of major in the army of the United States, issue to captain Haskell, aid-de-camp to major-general R. Howe.

On the report of a committee, consisting of Mr. M<sup>c</sup>Henry, Mr. Hawkins and Mr. Madison, to whom was referred a memorial of lieutenant Edward Phelon :

Whereas lieutenant Edward Phelon, of the 4th Massachusetts regiment, hath, by his memorial set forth, that while he was fighting for the liberties of the United States, he received several wounds, under which he has for four years past, borne the most excruciating pains ; and that during that time, he has been without any other support from the public, than what has been given to other officers in full health ;



and that he is still a cripple : and whereas the facts above set forth, are certified to be true in all their parts, by eleven of the general-officers of the army, who have moreover recommended him as having served with reputation to himself, and advantage to the United States, and as deserving the favor and consideration of Congress : therefore,

*Resolved*, That the secretary at war issue to lieutenant E. Phelon, a commission of captain in the army of the United States.

On the question to agree to this, the yeas and nays being required by Mr. Ellery,

<i>New-Hampshire,</i>	Mr. Foster,	ay	> *
<i>Massachusetts,</i>	Mr. Gerry,	ay	} ay
	Mr. Holten,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Conduct,	no	
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	> *
<i>Delaware,</i>	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>r</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Bland,	ay	} ay
	Mr. Lee,	ay	
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	> *

So it was resolved in the affirmative.

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WEDNESDAY, October 1, 1783.

The superintendant of finance, to whom was referred a memorial of John Halsted, having laid before Congress a report from the commissioner of accounts for the commissary's department, on the accounts of the said J. Halsted.

*Resolved*, That the accounts of John Halsted, be settled on the principles stated in the said report.

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FRIDAY, October 3, 1783.

Whereas it is provided in the 6th of the articles of confederation, that "no vessels of war shall be kept up in time of peace by any state, except such number only as shall be deemed necessary by the United States in Congress assembled, for the defence of such state or its trade ; nor shall any body of forces be kept up by any state in time of peace, except such number only as in the judgment of the United States in Congress assembled, shall be deemed requisite to garrison the forts necessary for the defence of such state ;" and the delegates of the state of Virginia having applied to Congress, for their approbation of



two armed vessels being kept up by the said state at its own expense, for the purpose of securing her trade; and having also laid before Congress an act passed by the legislature of the said state entitled, "An act directing the enlistment of guards for the public prisons and stores."

*Resolved*, That the state of Virginia may keep up at its own expense, two armed vessels for the defence of the trade of that state, provided that the same do not exceed the number of 14 guns, six pounders, and 75 men each.

*Resolved*, That the state of Virginia may keep up at its own expense, to the number of 25 privates with proper officers to guard the public prisons and stores.

The order of the day being to consider, the report of a committee on Indian affairs was then called for, and the following paragraph being under debate.

"And whereas the legislature of the state of New-York, have granted lands at Onondaga and Cayuga, to certain officers and privates in the service of the United States, not only as bounties for recruiting and enlisting, but to appease the discontents, which prevailed for want of their pay, and as a reward for their meritorious services, the said commissioners are therefore further instructed to take care as far as will be consistent with the public peace, that in the establishment of the proposed lines, the said military grants be not prejudiced or impeached; but if it shall appear that the persisting in such grants and appropriations may so far irritate the Indians, as to expose these United States to the dangers and calamities of an Indian war; that then it will be proper for the commissioners to report the difficulties which shall so occur in their negotiation to the legislature of the state of New-York; and in such case, it is earnestly recommended to the legislature of New-York, to revise the laws by which such appropriations have been made, so as to prevent the calamities of a new rupture with the Indians."

A motion was made by Mr. Duane, seconded by Mr. Gerry, to strike out the said paragraph; and on the question, shall that paragraph stand? the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	ay	}	ay
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	divided.
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		



<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>M<sup>c</sup>Henry,</i>	<i>no</i>		
<i>Virginia,</i>	Mr. <i>Bland,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Lee,</i>	<i>no</i>		
	Mr. <i>Mercer,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Beresford,</i>	<i>no</i>		

So it passed in the negative, and the paragraph was struck out.

The following paragraph being under debate.

That the commissioners for the northern and western districts, or such other persons as may be appointed by Congress, shall be instructed to unite together in holding one convention with the Indians inhabiting the districts aforesaid, and their allies and dependents, for the purposes aforesaid, and only to yield to separate conventions in case of inevitable necessity :

A motion was made by Mr. Bland, seconded by Mr. Lee, to amend by adding,

“Of which convention previous notice of at least one month shall be given by Congress, to the several states in the union, from New-Hampshire to Virginia inclusive, that such states as may conceive themselves interested, may, if they think proper, send commissioners to be present at the treaty negotiated with the Indians, for settling boundary lines by such persons as shall be appointed for that purpose by Congress.”

And on the question to agree to this amendment, the yeas and nays being required by Mr. Lee,

<i>Massachusetts,</i>	Mr. <i>Gerry,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Holten,</i>	<i>ay</i>		
<i>Rhode-Island,</i>	Mr. <i>Howell,</i>	<i>no</i>	}	*
	Mr. <i>S. Huntington,</i>	<i>no</i>		
<i>Connecticut,</i>	Mr. <i>B. Huntington,</i>	<i>ay</i>	}	<i>divided.</i>
	Mr. <i>Duane,</i>	<i>no</i>		
<i>New-York,</i>	Mr. <i>L'Hommedieu,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Boudinot,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Clark,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>		
	Mr. <i>Montgomery,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Peters,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Bedford,</i>	<i>no</i>		
<i>Delaware,</i>	Mr. <i>Tilton,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Carroll,</i>	<i>no</i>		
	Mr. <i>M<sup>c</sup>Henry,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Bland,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Lee,</i>	<i>ay</i>		
	Mr. <i>Mercer,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		



<i>South-Carolina,</i>	Mr. Read,	no	} <i>divided.</i>
	Mr. Beresford,	ay	

So it passed in the negative.

\*  
SATURDAY, October 4, 1783.

On motion of Mr. Gerry, seconded by Mr. Duane,

*Resolved*, That the superintendant of finance be directed to suspend until the farther order of Congress, the sale of all such goods belonging to the United States as may be necessary for clothing 2000 troops, and suitable for supplying the Indians at a proposed negotiation with them.

\*  
MONDAY, October 6, 1783.

On motion of Mr. M<sup>c</sup>Henry, seconded by Mr. Mercer,

Whereas William Langburn, hath served from the commencement of the war in the army of the United States, with equal disinterestedness and reputation.

*Resolved*, That a brevet commission of lieutenant-colonel be granted to the said William Langburn.

On motion of Mr. Duane, seconded by Mr. Mercer,

*Resolved*, That the commander in chief be, and he is hereby authorized, if he shall think proper, to reward the diligence and fidelity of the 12 horsemen, who have acted as his guard at head-quarters, by presenting them with their horses and accoutrements on their discharge.

The order of the day being called for and read, to take into consideration the propositions of several states, respecting a place for the permanent residence of Congress.

A motion was made by Mr. Gerry, seconded by Mr. Holten,

That Congress resolve itself into a committee of the whole, to take into consideration the propositions of the several states from New-York to Virginia inclusive, respecting a place for the permanent residence of Congress.

Question put, passed in the negative.

A motion was made by Mr. Gerry, seconded by Mr. Foster, to postpone the order of the day, and on the question for postponing, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
<i>Massachusetts,</i>	Mr. Gerry,	ay	
	Mr. Holten,	ay	} ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	
	Mr. Howell,	ay	} ay
<i>Connecticut,</i>	Mr. S. Huntington,	no	
	Mr. B. Huntington,	no	} no
<i>New-York,</i>	Mr. Duane,	no	
	Mr. L'Hommedieu,	no	} no
<i>New-Jersey,</i>	Mr. Boudinot,	no	
	Mr. Clark,	no	} no
	Mr. Condict,	no	
<i>Pennsylvania,</i>	Mr. Wilson,	no	} no
	Mr. Montgomery,	no	
	Mr. Peters,	no	



<i>Delaware,</i>	Mr. Bedford,	ay	}	ay
	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>c</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	*

So it passed in the negative.

A motion being before the house, it was moved by Mr. Howell, seconded by Mr. Ellery, that the order of the day with the motion, be postponed till the last Monday in this month : and on the question for postponing, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	no	}	no
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>c</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

On the question,

*Resolved,* That the question be taken, in which state buildings shall be provided and erected for the residence of Congress ; beginning with New-Hampshire, and proceeding in the order in which they stand.

The question for New-Hampshire, passed in the negative.



The question for Massachusetts, passed in the negative.

On the question for Rhode-Island and Providence Plantations, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	no	}	no
	Mr. Montgomery,	no		
	Mr. Peters,	no	}	no
<i>Delaware,</i>	Mr. Bedford,	no		
	Mr. Tilton,	no	}	no
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M'Henry,	no	}	no
<i>Virginia,</i>	Mr. Jones,	no		
	Mr. Madison,	no	}	no
	Mr. Bland,	no		
	Mr. Lee,	no	}	no
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

The question for Connecticut, passed in the negative.

On the question to agree to New-York, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	no	}	divided.
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	ay	}	ay
<i>New-York,</i>	Mr. Duane,	ay		
	Mr. L'Hommedieu,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	no	}	no
	Mr. Montgomery,	no		
	Mr. Peters,	no	}	no



<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

On the question to agree to New-Jersey, the yeas and nays being required by Mr. Boudinot,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	ay	}	ay
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Clark,	ay	}	ay
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Wilson,	no	}	no
	Mr. Montgomery,	no		
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

On the question for Pennsylvania, the yeas and nays being required by Mr. Wilson,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no



<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no	}	ay
<i>Pennsylvania,</i>	Mr. Wilson,	ay		
	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no	}	no
	Mr. Lee,	no		
	Mr. Mercer,	no	}	no
<i>North-Carolina,</i>	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	divided.
<i>South-Carolina,</i>	Mr. Read,	ay		
	Mr. Beresford,	no		

So it passed in the negative.

On the question for Delaware, the yeas and nays being required by Mr. Bedford,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	no	}	divided.
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Wilson,	no	}	no
	Mr. Montgomery,	ay		
	Mr. Peters,	no	}	ay
<i>Delaware,</i>	Mr. Bedford,	ay		
	Mr. Tilton,	ay	}	divided.
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	ay	}	no
<i>Virginia,</i>	Mr. Jones,	no		
	Mr. Madison,	no	}	no
	Mr. Bland,	no		
	Mr. Lee,	no	}	no
	Mr. Mercer,	no		



<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>no</i>	}	<i>divided.</i>
	Mr. <i>Beresford,</i>	<i>ay</i>		

So it passed in the negative.

On the question for Maryland, the yeas and nays being required by Mr. Carroll,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Gerry,</i>	<i>no</i>		
	Mr. <i>Holten,</i>	<i>no</i>	}	<i>no</i>
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>no</i>		
	Mr. <i>Howell,</i>	<i>no</i>	}	<i>no</i>
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>no</i>		
	Mr. <i>B. Huntington,</i>	<i>no</i>	}	<i>no</i>
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>		
	Mr. <i>L'Hommedieu,</i>	<i>no</i>	}	<i>no</i>
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>		
	Mr. <i>Clark,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Wilson,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Montgomery,</i>	<i>no</i>		
	Mr. <i>Peters,</i>	<i>no</i>	}	<i>no</i>
<i>Delaware,</i>	Mr. <i>Bedford,</i>	<i>no</i>		
	Mr. <i>Tilton,</i>	<i>no</i>	}	<i>no</i>
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>		
	Mr. <i>M<sup>c</sup>Henry,</i>	<i>ay</i>	}	<i>ay</i>
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>		
	Mr. <i>Madison,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Bland,</i>	<i>no</i>		
	Mr. <i>Lee,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Mercer,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Beresford,</i>	<i>ay</i>		

So it passed in the negative.

On the question for Virginia, the yeas and nays being required by Mr. Bland,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	}	*
<i>Massachusetts,</i>	Mr. <i>Gerry,</i>	<i>ay</i>		
	Mr. <i>Holten,</i>	<i>no</i>	}	<i>divided.</i>
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>no</i>		
	Mr. <i>Howell,</i>	<i>no</i>	}	<i>no</i>
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>no</i>		
	Mr. <i>B. Huntington,</i>	<i>no</i>	}	<i>no</i>
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>		
	Mr. <i>L'Hommedieu,</i>	<i>no</i>	}	<i>no</i>
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>		
	Mr. <i>Clark,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>		



<i>Pennsylvania,</i>	Mr. <i>Wilson,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Montgomery,</i>	<i>no</i>	
	Mr. <i>Peters,</i>	<i>no</i>	
<i>Delaware,</i>	Mr. <i>Bedford,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Tilton,</i>	<i>no</i>	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>M<sup>r</sup> Henry,</i>	<i>no</i>	
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Madison,</i>	<i>ay</i>	
	Mr. <i>Bland,</i>	<i>ay</i>	
	Mr. <i>Lee,</i>	<i>ay</i>	
	Mr. <i>Mercer,</i>	<i>ay</i>	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>	
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>Beresford,</i>	<i>no</i>	

So it passed in the negative.

The question for North-Carolina, passed in the negative.

The question for South-Carolina, passed in the negative.

The question for Georgia, passed in the negative.

*Resolved,* That the fixing on a place for providing and erecting buildings for the residence of Congress, be an order of the day for to-morrow.

—•—

TUESDAY, October 7, 1783.

A deputation from the yearly meeting of the people called Quakers, held in Philadelphia, for Pennsylvania, New-Jersey and Delaware, and the western parts of Maryland and Virginia, having signified to the president their desire of presenting an address to Congress.

*Resolved,* That the president inform them that Congress will receive their address to-morrow at 12 o'clock.

The order of the day being called for,

A motion was made by Mr. Gerry, seconded by Mr. Howell,

That buildings for the use of Congress be erected on the banks of the Delaware, near Trenton, or of Patowmack, near George-Town, provided a suitable district can be procured on one of the rivers as afore-said, for a federal town, and that the right of soil and an exclusive or such other jurisdiction as Congress may direct, shall be vested in the United States.

A motion was made by Mr. Bedford, seconded by Mr. Wilson, to strike out the words, "near Trenton, "and near George-Town:" and on the question, shall those words stand? the yeas and nays being required by Mr. Bedford,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	} *
	Mr. <i>Gerry,</i>	<i>ay</i>	
	Mr. <i>Holten,</i>	<i>no</i>	
<i>Rhode-Island,</i>	Mr. <i>Osgood,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>Ellery,</i>	<i>no</i>	
	Mr. <i>Howell,</i>	<i>ay</i>	
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>B. Huntington,</i>	<i>ay</i>	



<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} no
	Mr. Clark,	no	
<i>Pennsylvania,</i>	Mr. Condict,	no	} no
	Mr. Fitzsimmons,	no	
	Mr. Wilson,	no	
	Mr. Montgomery,	no	
<i>Delaware,</i>	Mr. Peters,	no	} no
	Mr. Bedford,	no	
<i>Maryland,</i>	Mr. Tilton,	no	} divided.
	Mr. Carroll,	no	
<i>Virginia,</i>	Mr. M'Henry,	ay	} ay
	Mr. Jones,	ay	
	Mr. Madison,	ay	
	Mr. Bland,	ay	
<i>North-Carolina,</i>	Mr. Lee,	no	} ay
	Mr. Mercer,	ay	
	Mr. Hawkins,	ay	
<i>South-Carolina,</i>	Mr. Williamson,	ay	} ay
	Mr. Read,	ay	
	Mr. Beresford,	no	

So the question was lost, and the words were struck out.

A motion was then made by Mr. Duane, seconded by Mr. Holten, to add "the Hudson:" and on the question to agree to this amendment, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
	Mr. Gerry,	no	
<i>Massachusetts,</i>	Mr. Holten,	ay	} no
	Mr. Osgood,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} divided.
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. B. Huntington,	no	} *
	Mr. Duane,	ay	
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} ay
	Mr. Boudinot,	ay	
<i>New-Jersey,</i>	Mr. Clark,	no	} no
	Mr. Condict,	no	
	Mr. Fitzsimmons,	no	
	Mr. Wilson,	no	
<i>Pennsylvania,</i>	Mr. Montgomery,	no	} no
	Mr. Peters,	no	
	Mr. Bedford,	no	
<i>Delaware,</i>	Mr. Tilton,	no	} no
	Mr. Carroll,	no	
<i>Maryland,</i>	Mr. M'Henry,	no	} no
	Mr. Jones,	no	
	Mr. Madison,	no	
	Mr. Bland,	no	
<i>Virginia,</i>	Mr. Lee,	no	} no
	Mr. Mercer,	no	



<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	} <i>divided.</i>
	Mr. <i>Williamson,</i>	<i>ay</i>	
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Beresford,</i>	<i>no</i>	

So it passed in the negative.

The motion being then amended, so as to read,

That building for the use of Congress be erected on or near the banks of the Delaware, or of the Patowmack : provided a suitable district can be procured on one of the rivers as aforesaid, for a federal town ; and that the right of soil, and an exclusive or such other jurisdiction as Congress may direct, shall be vested in the United States.

A motion was then made by Mr. Carroll, seconded by Mr. M'Henry, to postpone the motion before the house, in order to take into consideration the following resolve :

That Congress do in behalf of the United States, accept the offer made by the legislature of the state of Maryland, by their act of for the residence of Congress :

And on the question for postponing, the yeas and nays being required by Mr. Carroll,

<i>New-Hampshire,</i>	Mr. <i>Foster,</i>	<i>no</i>	} *
<i>Massachusetts,</i>	Mr. <i>Gerry,</i>	<i>no</i>	
	Mr. <i>Holten,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Osgood,</i>	<i>no</i>	
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Howell,</i>	<i>no</i>	
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>B. Huntington,</i>	<i>no</i>	
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>L'Hommedieu,</i>	<i>no</i>	
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Clark,</i>	<i>no</i>	
	Mr. <i>Condict,</i>	<i>no</i>	
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Wilson,</i>	<i>no</i>	
	Mr. <i>Montgomery,</i>	<i>no</i>	
	Mr. <i>Peters,</i>	<i>no</i>	
<i>Delaware,</i>	Mr. <i>Bedford,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>Tilton,</i>	<i>no</i>	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	} <i>ay</i>
	Mr. <i>M'Henry,</i>	<i>ay</i>	
<i>Virginia,</i>	Mr. <i>Jones,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Madison,</i>	<i>no</i>	
	Mr. <i>Bland,</i>	<i>no</i>	
	Mr. <i>Lee,</i>	<i>no</i>	
	Mr. <i>Mercer,</i>	<i>no</i>	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	} <i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>	
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>ay</i>	} <i>divided.</i>
	Mr. <i>Beresford,</i>	<i>no</i>	

So it passed in the negative.



On the question to agree to the motion as amended :  
Resolved in the affirmative.

On the question,

That buildings for the use of Congress be erected on or near the banks of the Delaware, the yeas and nays being required by Mr. Wilson,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
	Mr. Gerry,	no		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	}	ay
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Bedford,	ay	}	ay
	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	no		
	Mr. Lee,	no		
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it was *Resolved*, That buildings for the use of Congress be erected on or near the banks of the Delaware, provided a suitable district can be procured on or near the banks of the said river, for a federal town; and that the right of soil, and an exclusive or such other jurisdiction as Congress may direct, shall be vested in the United States.

A motion was then made by Mr. Bedford, seconded by Mr. Tilton, That the buildings for the use of Congress, be erected in the state of Delaware, near Wilmington: And on the question to agree to this, the yeas and nays being required by Mr. Bedford,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
	Mr. Gerry,	no		
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Osgood,	no		



<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Wilson,	no		
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	ay	}	ay
	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>r</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Jones,	no	}	no
	Mr. Madison,	no		
	Mr. Bland,	ay		
	Mr. Lee,	no		
	Mr. Mercer,	no	}	no
<i>North-Carolina,</i>	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	ay
<i>South-Carolina,</i>	Mr. Read,	ay		
	Mr. Beresford,	ay	}	ay

So it passed in the negative.

On motion, *Resolved*, That the place on the Delaware for erecting buildings for the use of Congress, be near the falls.

*Resolved*, That a committee of five be appointed to repair to the falls of Delaware, to view the situation of the country in its neighbourhood, and report a proper district for carrying into effect, the preceding resolution :

The members, Mr. Gerry, Mr. S. Huntington, Mr. Peters, Mr. Duane, Mr. Clark.

*Resolved*, That it be an order of the day for to-morrow, to consider of the temporary residence of Congress.

WEDNESDAY, October 8, 1783.

A motion was made by Mr. Williamson, seconded by Mr. Read, To re-consider the resolution of yesterday, by which the residence of Congress is to be fixed near the falls of Delaware, in order to fix on some other place that shall be more central, more favourable to the union, and shall approach nearer to that justice which is due to the southern states. And on the question to re-consider the resolution of yesterday, by which the residence of Congress is to be fixed near the falls of Delaware, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		



<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Wilson,	no		
	Mr. Montgomery,	no		
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	ay	}	ay
	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>r</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Jones,	ay	}	ay
	Mr. Madison,	ay		
	Mr. Lee,	ay		
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	ay
	Mr. Beresford,	ay		

So the question was lost.

The deputation from the yearly meeting of the people called Quakers, attended, and being admitted, delivered their address and withdrew.

FRIDAY, October 10, 1783.

The order of the day being called for,

A motion was made by Mr. Bedford, seconded by Mr. Mercer,

That for the more convenient transaction of the business of the United States, and accommodation of Congress, it is expedient for them to adjourn from their present residence; whereupon,

It was moved by Mr. Gerry, and seconded by Mr. Holten, to strike out the words, "transaction of the business of the United States, and:" and on the question, shall the words stand? the yeas and nays being required by Mr. Read,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
	Mr. Gerry,	no		
<i>Massachusetts,</i>	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	divided.
	Mr. Condict,	no		



<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Delaware,</i>	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>r</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Lee,	no	
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	

So it was resolved in the affirmative.

On the question to agree to the main question, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
	Mr. Gerry,	no	
<i>Massachusetts,</i>	Mr. Holten,	no	} no
	Mr. Osgood,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} no
	Mr. B. Huntington,	no	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Condict,	no	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Delaware,</i>	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>r</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Lee,	ay	
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	

So it was resolved in the affirmative.

A motion was then made by Mr. Williamson, seconded by Mr. Peters,

That on the last Thursday in this month, the president adjourn Con-



grefs to meet at Philadelphia on the next Saturday, there to sit for the dispatch of public business, till the first Monday in June next; at which time, the president is hereby empowered and directed to adjourn Congress to meet at Trenton, on the Wednesday following.

It was thereupon moved by Mr. Duane, seconded by Mr. Howell, to strike out "Philadelphia," together with the words "till the first Monday, &c." to the end; and in lieu of Philadelphia struck out, to insert "Trenton:"

And on the question to agree to this amendment, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	no	}	no
	Mr. Wilson,	no		
	Mr. Montgomery,	no		
	Mr. Peters,	no		
<i>Delaware,</i>	Mr. Bedford,	no	}	no
	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	no	}	no
	Mr. M <sup>c</sup> Henry,	no		
<i>Virginia,</i>	Mr. Madison,	no	}	no
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Read,	no	}	no
	Mr. Beresford,	no		

So it passed in the negative.

On the question to agree to the main question, the yeas and nays being required by Mr. Read,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		



<i>New-Jersey,</i>	Mr. Boudinot,	ay	} no
	Mr. Clark,	no	
	Mr. Condict,	no	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Delaware,</i>	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} divided.
	Mr. M <sup>r</sup> Henry,	no	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	ay	} divided.
	Mr. Beresford,	no	

So the question was lost.

The committee, consisting of Mr. S. Huntington, Mr. Gerry and Mr. Duane, to whom were referred the letters from general Du Portail, relating to himself and the other engineers of the royal corps, in the service of his most Christian majesty, report,

That major-general Du Portail, brigadier-general Laumoy, and colonel Gouvion, were permitted by his most Christian majesty to serve in the army of the United States, and for this purpose furloughs were granted to them by the king of France, from time to time, and it appears that from a desire to give a repeated manifestation of his attachment to the United States, the services of these engineers were considered equally entitling them to the favour of their sovereign, as if they had been performed in the armies of France.

That these gentlemen have distinguished themselves in their profession, during their service in America, as active, intelligent, and useful officers, and considering that they entered our service with the particular approbation and consent of their sovereign, it appears to your committee that it will be expedient to grant them some peculiar testimonies of the sense Congress entertain of their services, as well as to expedite their return to the corps to which they are attached in France; whereupon,

*Resolved,* That major-general Du Portail, brigadier-general Laumoy and colonel Gouvion, who have served with distinguished merit in the department of engineers, have leave to retire from the service of the United States, their affairs requiring their presence in Europe, and no arrangements having yet been made by which Congress might employ the abilities of those gentlemen, however desirous they might be of their services.

*Resolved,* That the secretary at war, express to the minister plenipotentiary of his most Christian majesty in America, the high sense Congress entertain of the zeal, abilities and conduct of these officers during their service in the army of the United States, to the end that the said minister may convey to his court, the approbation of Congress of their distinguished merit.



*Resolved*, That the superintendant of finance, cause the accounts of major-general Du Portail, brigadier-general Laumoy and colonel Gouvion, to be immediately adjusted, and advance to them respectively, such sums as the state of the public finances will, in his opinion, admit, giving them certificates on interest for the balances which may be found due to them.

SATURDAY, October 11, 1783.

The committee, consisting of Mr. Rutledge, Mr. Peters, Mr. Carroll, Mr. Hamilton and Mr. Bland, appointed pursuant to the act of 17th June, 1781, to enquire fully into the proceedings of the department of war, reported the result of their enquiries :

The order of the day being called for, a motion was made by Mr. Ellery, seconded by Mr. Holten,

That the president of Congress be, and he is hereby authorized and directed to adjourn Congress on the 22d, to meet at Annapolis, in the state of Maryland, on the 31st of October inst. there to sit for the dispatch of public business, till the first Monday in June next, at which time the president is hereby empowered and directed to adjourn Congress to meet at Trenton on the Wednesday following.

A motion was made by Mr. Howell, seconded by Mr. M<sup>r</sup> Henry, to strike out the words, "there to sit for the dispatch of public business, &c." to the end.

And on the question, shall the words moved to be struck out stand? the yeas and nays being required by Mr. Carroll,

<i>Massachusetts,</i>	Mr. Gerry,	ay	} ay
	Mr. Holten,	ay	
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} divided.
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Condict,	ay	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Delaware,</i>	Mr. Bedford,	ay	} divided.
	Mr. Tilton,	no	
<i>Maryland,</i>	Mr. Carroll,	no	} no
	Mr. M <sup>r</sup> Henry,	no	
<i>Virginia,</i>	Mr. Madison,	ay	} no
	Mr. Lee,	no	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} no
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Read,	ay	} divided.
	Mr. Beresford,	no	



So the question was lost, and the words were struck out.

A motion was then made by Mr. Gerry, seconded by Mr. Holten, to add to the motion as amended, the following words: for the place of their temporary residence:

And on the question to agree to this amendment, the yeas and nays being required by Mr. Mercer,

<i>Massachusetts,</i>	Mr. Gerry,	ay	} ay
	Mr. Holten,	ay	
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} ay
	Mr. Clark,	ay	
	Mr. Conduct,	ay	
<i>Pennsylvania,</i>	Mr. Fitzsimmons,	ay	} ay
	Mr. Wilson,	ay	
	Mr. Montgomery,	ay	
	Mr. Peters,	ay	
<i>Delaware,</i>	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M. Henry,	ay	
<i>Virginia,</i>	Mr. Madison,	ay	} ay
	Mr. Lee,	ay	
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} divided.
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Read,	ay	} divided.
	Mr. Beresford,	no	

So it was resolved in the affirmative.

On the question to agree to the motion as amended, the yeas and nays being required by Mr. Carroll,

<i>Massachusetts,</i>	Mr. Gerry,	ay	} ay
	Mr. Holten,	ay	
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	no	} no
	Mr. L'Hommedieu,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	no	} no
	Mr. Clark,	no	
	Mr. Conduct,	no	



Pennsylvania,	Mr. Fitzsimmons,	no	} no
	Mr. Wilson,	no	
	Mr. Montgomery,	no	
	Mr. Peters,	no	
Delaware,	Mr. Bedford,	ay	} ay
	Mr. Tilton,	ay	
Maryland,	Mr. Carroll,	ay	} ay
	Mr. M <sup>r</sup> . Henry,	ay	
Virginia,	Mr. Madison,	no	} no
	Mr. Lee,	ay	
	Mr. Mercer,	no	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Read,	no	} divided.
	Mr. Beresford,	ay	

So the question was lost.

— ❁ —

*MONDAY, October 13, 1783.*

On motion of Mr. Montgomery, seconded by Mr. Peters,

*Resolved*, That the secretary at war issue to lieutenant-colonel Ternant, the brevet commission of colonel.

On the report of a committee, consisting of Mr. Gerry, Mr. Williamson and Mr. Clark,

*Ordered*, That the superintendant of finance and secretary at war, give orders for transmitting to the legislature of the state of New-Hampshire, an account of the sums, that by the books or documents in their respective offices shall appear to have been advanced in money, clothing or other articles, to Ebenezer Greene, one of the hostages of the American troops, taken at the Cedars; and that the date of his exchange be also transmitted by the secretary at war, in order that the legislature may adjust the accounts of the said Ebenezer Greene with the United States, and discharge any balance that may be due thereon.

On the report of a committee, consisting of Mr. Read, Mr. Peters and Mr. Duane, to whom were referred a letter of 2d October from the commander in chief, and a letter of August 8th from the secretary at war, together with a letter from colonel Kosciuszko,

*Resolved*, That the secretary at war transmit to colonel Kosciuszko, the brevet commission of brigadier-general; and signify to that officer, that Congress entertain an high sense of his long, faithful and meritorious services.

A report from the secretary at war, on the case of captain Goodale, being read, a motion was made by Mr. Holten, seconded by Mr. M<sup>r</sup>. Henry,

Whereas it appears that captian Goodale, lately promoted to the rank of major by brevet, has distinguished himself by extraordinary military services, the secretary at war issue to captain Goodale, a major's commission in the line of the army.

On the question to agree to this, the yeas and nays being required Mr. Holten,



<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
	Mr. Gerry,	ay		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. L'Hommedieu,	no	}	*
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Clark,	no	}	no
<i>Pennsylvania,</i>	Mr. Condict,	no		
	Mr. Montgomery,	no	}	no
<i>Delaware,</i>	Mr. Peters,	no		
	Mr. Tilton,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M'Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Lee,	no		
	Mr. Mercer,	no	}	no
<i>South-Carolina,</i>	Mr. Williamson,	no		

So the question was lost,

The order of the day being called for,

A motion was made by Mr. Mercer, seconded by Mr. Lee,

That Congress will, on the 15th inst. adjourn to meet at the city of Williamsburg, in the state of Virginia, on the 30th inst. there to sit for the dispatch of public business.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to strike out the words, "there to sit for the dispatch of public business," and in lieu thereof insert, "for the place of their temporary residence:"

And on the question to agree to this amendment, the yeas and nays being required by Mr. Mercer,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
	Mr. Gerry,	ay		
<i>Massachusetts,</i>	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	divided.
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	no		
<i>Pennsylvania,</i>	Mr. Condict,	ay	}	ay
	Mr. Fitzsimmons,	ay		
<i>Delaware,</i>	Mr. Wilson,	ay	}	ay
	Mr. Montgomery,	ay		
<i>Maryland,</i>	Mr. Peters,	ay	}	ay
	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M'Henry,	ay		



Virginia,	Mr. Lee,	no	}	no
	Mr. Mercer,	no		
South-Carolina,	Mr. Hawkins,	ay	}	divided.
	Mr. Williamson,	no		

So the question was lost.

On the question to agree to the main question, the yeas and nays being required by Mr. Mercer,

New-Hampshire,	Mr. Foster,	no	}	*
Massachusetts,	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
Rhode-Island,	Mr. Ellery,	no	}	divided.
	Mr. Howell,	ay		
Connecticut,	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
New-York,	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
New-Jersey,	Mr. Boudinot,	no	}	no
	Mr. Clark,	no		
	Mr. Condict,	no	}	no
Pennsylvania,	Mr. Fitzsimmons,	no		
	Mr. Wilson,	no		
	Mr. Montgomery,	no		
	Mr. Peters,	no	}	*
Delaware,	Mr. Tilton,	ay		
Maryland,	Mr. Carroll,	no	}	no
	Mr. M <sup>c</sup> Henry,	no		
Virginia,	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
South-Carolina,	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		

So it passed in the negative.

TUESDAY, October 14, 1783.

On motion of Mr. Clark, seconded by Mr. B. Huntington,

*Resolved*, That in consideration of the services and sufferings of John Halstead, while employed in the service of the United States in Canada, the superintendant of finance take order for paying him 400 dollars, in part of his account.

Congress took into consideration the report of a committee, consisting of Mr. Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins and Mr. A. Lee, to whom was referred a number of letters and papers relative to Indian affairs, and the following paragraph being under debate, viz.

Your committee therefore submit it to consideration, whether it is not wise and necessary that a committee be appointed to report to Congress on the expediency of laying out a suitable district within the said territory, and of erecting it into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty, or in reward for their services, as for the accommodation of such as may incline to become purchasers and inhabitants, with in-



structions to such committee to devise a plan for the temporary government of the inhabitants and the due administration of justice, until their number and circumstances shall entitle them to a place among the states in the union, when they shall be at liberty to form a constitution for themselves, not incompatible with the republican principles which are the basis of the constitutions of the respective states in the union.

A motion was made by Mr. Gerry, to amend the said paragraph, so that it may read as follows :

Your committee therefore submit it to consideration, whether it will not be wise and necessary, as soon as circumstances shall permit, to erect a district of the western territory into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty or in reward of their services as for the accommodation of such as may incline to become purchasers and inhabitants, and in the interim to appoint a committee to report a plan consistent with the principles of the confederation, for connecting with the union by a temporary government, the purchasers and inhabitants of the said district, until their number and circumstances shall entitle them to form a permanent constitution for themselves, and as citizens of a free, sovereign and independent state, to be admitted to a representation in the union ; provided such constitution shall not be incompatible with the republican principles, which are the basis of the constitutions of the respective states in the union.

A motion was made by Mr. Howell, seconded by Mr. Ellery, to postpone that amendment, in order to admit an amendment, to make the paragraph read as follows :

Your committee recommended it as necessary and expedient as soon as circumstances will admit, to lay out a suitable district within the said territory, and to erect it into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty, or in reward of their services, as for the accommodation of such as may incline to become purchasers and inhabitants, and for this purpose, that a committee be appointed to devise and report a plan for the government of the inhabitants and the due administration of justice, which, if agreeable to the settlers, shall be their temporary government until their number and circumstances shall entitle them to a place among the states in the union, when they shall be at liberty to form a constitution for themselves, not incompatible with the republican principles, which are the basis of the constitutions of the respective states in the union.

And on the question to postpone for the purpose above-mentioned, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
<i>Massachusetts,</i>	Mr. Gerry,	no	
	Mr. Holten,	no	} no
	Mr. Osgood,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	



<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>L'Hommedieu,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Clark,</i>	<i>no</i>		
	Mr. <i>Condict,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Fitzsimmons,</i>	<i>ay</i>	}	<i>no</i>
	Mr. <i>Wilson,</i>	<i>no</i>		
	Mr. <i>Peters,</i>	<i>no</i>		
<i>Delaware,</i>	Mr. <i>Tilton,</i>	<i>no</i>	}	*
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M<sup>r</sup> Henry,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Madison,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Lee,</i>	<i>no</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Williamson,</i>	<i>no</i>		
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>no</i>	}	*

So it passed in the negative.

On the question, Mr. Gerry's amendment was agreed to.

WEDNESDAY, October 15, 1783.

The committee, consisting of Mr. Duane, Mr. Peters, Mr. Carroll, Mr. Hawkins and Mr. A. Lee, to whom were referred fundry letters and papers relative to Indian affairs, report, that they have attentively considered the several papers referred to them, and have conferred thereon with the commander in chief: that their report will be confined to Indian affairs in the northern and middle departments, as they are confined by the acts of Congress of the 12th of July, 1775, and to the settlement of the western country, these subjects being in the opinion of the committee inseparably connected, and the committee not being possessed of materials which enable them to extend their views to the southern district. That it is represented, and the committee believe with truth, that although the hostile tribes of Indians in the northern and middle departments, are seriously disposed to a pacification, yet they are not in a temper to relinquish their territorial claims, without further struggles. That if an Indian war should be re-kindled, repeated victories might produce the retreat of the Indians, but could not prevent them from regaining possession of some part of the distant and extensive territories, which appertain to the United States; that while such temporary expulsions could only be effected at a great charge, they could not be improved to the smallest advantage, but by maintaining numerous garrisons and an expensive peace establishment; that even if all the northern and western tribes of Indians inhabiting the territories of the United States, could be totally expelled, the policy of reducing them to such an extremity is deemed to be questionable; for in such an event it is obvious that they would find a welcome reception from the British government in Canada, which by so great an accession of strength would become formidable in case of any future rupture, and in peace, by keeping alive the resentment of the Indians for the loss of their country, would secure to its own subjects the entire benefit of the fur trade: that although motives of policy as well as clemency ought to incline Congress to listen to the prayers of the hostile Indians



for peace, yet in the opinion of the committee it is just and necessary that lines of property should be ascertained and established between the United States and them, which will be convenient to the respective tribes, and commensurate to the public wants, because the faith of the United States stands pledged to grant portions of the uncultivated lands as a bounty to their army, and in reward of their courage and fidelity, and the public finances do not admit of any considerable expenditure to extinguish the Indian claims upon such lands; because it is become necessary by the increase of domestic population and emigrations from abroad, to make speedy provision for extending the settlement of the territories of the United States; and because the public creditors have been led to believe and have a right to expect that those territories will be speedily improved into a fund towards the security and payment of the national debt. Nor in the opinion of the committee can the Indians themselves have any reasonable objection against the establishment recommended. They were, as some of them acknowledge, aggressors in the war, without even a pretence of provocation; they violated the convention of neutrality made with Congress at Albany, in 1775, and in return for proffered protection, and liberal supplies, and to the utter ruin and impoverishment of thousands of families, they wantonly desolated our villages and settlements, and destroyed our citizens. To stop the progress of their outrages, the war at a vast expense to the United States, was carried into their own country, which they abandoned. Waving then the right of conquest and the various precedents which might be quoted in similar instances, a bare recollection of the facts is sufficient to manifest the obligation they are under to make atonement for the enormities which they have perpetrated, and a reasonable compensation for the expenses which the United States have incurred by their wanton barbarity; and they possess no other means to do this act of justice than by a compliance with the proposed boundaries. The committee are of opinion, that in the negotiation which they recommend, care ought to be taken neither to yield nor require too much; to accommodate the Indians as far as the public good will admit, and if they should appear dissatisfied at the lines which it may be found necessary to establish, rather to give them some compensation for the claims than to hazard a war, which will be much more expensive; but it is supposed that when they shall be informed of the estimates of the damages which our citizens have sustained by their irruptions, and of the expenses which the United States have incurred to check their career, it will have a tendency to suppress any extravagant demands. Whereupon,

*Resolved*, That a convention be held with the Indians residing in the northern and middle-departments, who have taken up arms against the United States, for the purposes of receiving them into the favour and protection of the United States, and of establishing boundary lines of property for separating and dividing the settlements of the citizens from the Indian villages, and hunting grounds, and thereby extinguishing as far as possible all occasion for future animosities, disquiet and contention.

And whereas the trade with the Indians ought to be regulated, and security be given by the traders, for the punctual observance of such



regulations, so that violence, fraud and injustice towards the Indians, may be guarded against and prevented, and the honor of the federal government and the public tranquillity thereby promoted.

*Resolved*, That a committee be appointed with instructions to prepare and report an ordinance for regulating the Indian trade, with a clause therein strictly prohibiting all civil and military officers, particularly all commissioners and agents for Indian affairs, from trading with the Indians, or purchasing, or being directly or indirectly concerned in purchasing lands from Indians, except only by the express license and authority of the United States in Congress assembled.

*Resolved*, That the preceding measures of Congress relative to Indian affairs, shall not be construed to affect the territorial claims of any of the states, or their legislative rights within their respective limits.

The committee in their report observe further, that they do not offer the measures which they have suggested as a sufficient security against the increase of feeble, disorderly and dispersed settlements in those remote and wide extended territories; against the depravity of manners which they have a tendency to produce; the endless perplexities in which they must involve the administration of the affairs of the United States, or against the calamities of frequent and destructive wars with the Indians, which reciprocal animosities unrestrained by the interposition of legal authority must naturally excite; and that in their opinion nothing can avert those complicated and impending mischiefs, or secure to the United States the just and important advantages which they ought to derive from those territories, but the speedy establishment of government and the regular administration of justice in such district thereof as shall be judged most convenient for immediate settlement and cultivation: whereupon,

*Resolved*, That it will be wise and necessary as soon as circumstances shall permit, to erect a district of the western territory into a distinct government, as well for doing justice to the army of the United States, who are entitled to lands as a bounty, or in reward of their services, as for the accommodation of such as may incline to become purchasers and inhabitants; and in the interim, that a committee be appointed to report a plan consistent with the principles of the confederation, for connecting with the union by a temporary government, the purchasers and inhabitants of the said district until their number and circumstances shall entitle them to form a permanent constitution for themselves, and as citizens of a free, sovereign and independent state, to be admitted to a representation in the union; provided always, that such constitution shall not be incompatible with the republican principles, which are the basis of the constitutions of the respective states in the union.

*Ordered*, That the remainder of the report be referred to the said committee.

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THURSDAY, October 16, 1783.

On motion of Mr. M<sup>c</sup>Henry, seconded by Mr. Madison,

*Ordered*, That the agent of marine provide major-general du Portail, brigadier-general Laumoy and colonel Gouvion, with a passage



to France, in the ship Washington ; and that they be informed of the same.

*Resolved*, That Wednesday next be assigned for electing commissioners, for negotiating a treaty with the Indians.

FRIDAY, October 17, 1783.

On the report of the secretary at war, to whom were referred a letter of 20th August from major-general Knox, and petition of captain Post's company of artillery artificers.

*Resolved*, That the pay-master-general be directed to settle the pay of those officers and soldiers who served in captain Post's company of artillery artificers, due attention being had in the settlement, to the real value of their nominal pay at the time they engaged in this service, and that a certificate of the balance due to each officer and soldier, be given them by the pay-master-general, in the same manner as to the officers and soldiers in the line of the army.

On the report of a committee, consisting of Mr. Clark, Mr. Peters and Mr. S. Huntington, to whom was referred a memorial of John Hall,

*Resolved*, That in settling the accounts particularly referred to in the act of Congress of the 27th of February last, depreciation of pay be allowed to all those in the military-stores department, who were engaged for three years, or during the war, and in actual service on or after the 10th of April, 1780, due attention being had in the settlement to the real value of their nominal pay at the time they engaged in the service.

On the report of a committee, consisting of Mr. Clark, Mr. Gerry and Mr. Hawkins, to whom was referred a memorial of Cornelius Durant,

*Ordered*, That the petition of Cornelius Durant, claiming pay for a quantity of flour and ship-stuff, his property, seized in the state of Maryland, in the year 1779, be referred to the superintendant of finance, who is directed to take order for investigating the claim of Mr. Durant, and upon the facts set forth in his petition being supported, to cause a settlement to be made thereof, and the sum which may be found due, including interest from the time of seizure, to be placed on interest in common with other debts due from the United States.

A motion was made by Mr. Gerry, seconded by Mr. Lee, in the words following :

Whereas the resolutions of Congress of the 7th instant, to erect buildings for their use at or near the falls of the Delaware, are not satisfactory to a respectable part of the United States, five of which, on the 8th instant, voted for a re-consideration of the said resolutions : And whereas Congress have no prospect of a general assent to any one place for their residence, and there is every reason to expect that the providing buildings for the alternate residence of Congress in two places, will be productive of the most salutary effects, by securing the mutual confidence and affections of the states, and preserving the federal balance of power : It is therefore *Resolved*, That buildings be likewise erected for the use of Congress, at or near the lower falls of Patowmack or George-town ; provided a suitable district on the banks



of the river can be procured for a federal town, and the right of soil and an exclusive jurisdiction, or such other as Congress may direct, shall be vested in the United States. Whereupon,

A motion was made by Mr. Clark, seconded by Mr. Peters, as follows :

Whereas the motion now before the house, made by the honorable mover from Massachusetts, appears to involve in it important consequences to the union, as to require a special and deliberate investigation, unconnected with any other subject, and ought not be determined upon a motion immediately taken up, without previous notice thereof given to the states, as was the case in fixing a single federal town : therefore, *Resolved*, That the said motion be postponed to the first Monday in April next, and copies thereof transmitted to the executives of the several states :

And on the question to agree to this, the yeas and nays being required by Mr. Boudinot,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	no		
	Mr. Holten,	no	}	no
	Mr. Osgood,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	no	}	no
	Mr. B. Huntington,	no		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Clark,	ay		
	Mr. Condict,	ay		
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay		
<i>Delaware,</i>	Mr. Tilton,	ay	}	*
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	no	}	no
<i>Virginia,</i>	Mr. Madison,	no		
	Mr. Lee,	no	}	no
	Mr. Mercer,	no		
<i>North-Carolina,</i>	Mr. Hawkins,	no	}	no
	Mr. Williamson,	no		
<i>South-Carolina,</i>	Mr. Izard,	no	}	no
	Mr. Beresford,	no		

So the question was lost.

On motion of Mr. Peters, seconded by Mr. Condict,

*Resolved*, That the consideration of the main question be postponed till Wednesday next.

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*SATURDAY, October 18, 1783.*

The committee, consisting of Mr. Duane, Mr. S. Huntington and Mr. Holten, appointed to prepare a proclamation for a day of thanksgiving, reported a draft, which was agreed to as follows :



*By the United States in Congress assembled.*

#### A PROCLAMATION.

WHEREAS it hath pleased the Supreme Ruler of all human events, to dispose the hearts of the late belligerent powers to put a period to the effusion of human blood, by proclaiming a cessation of all hostilities by sea and land, and these United States are not only happily rescued from the dangers and calamities to which they have been so long exposed, but their freedom, sovereignty and independence ultimately acknowledged. And whereas in the progress of a contest on which the most essential rights of human nature depended, the interposition of Divine Providence in our favour hath been most abundantly and most graciously manifested, and the citizens of these United States have every reason for praise and gratitude to the God of their salvation. Impressed, therefore, with an exalted sense of the blessings by which we are surrounded, and of our entire dependence on that Almighty Being, from whose goodness and bounty they are derived, the United States in Congress assembled, do recommend it to the several states, to set apart the second Thursday in December next, as a day of public thanksgiving, that all the people may then assemble to celebrate with grateful hearts and united voices, the praises of their Supreme and all-bountiful Benefactor, for his numberless favors and mercies. That he hath been pleased to conduct us in safety through all the perils and vicissitudes of the war; that he hath given us unanimity and resolution to adhere to our just rights; that he hath raised up a powerful ally to assist us in supporting them, and hath so far crowned our united efforts with success, that in the course of the present year, hostilities have ceased, and we are left in the undisputed possession of our liberty and independence, and of the fruits of our land, and in the free participation of the treasures of the sea; that he hath prospered the labour of our husbandmen with plentiful harvests; and above all, that he hath been pleased to continue to us the light of the blessed gospel, and secured to us in the fullest extent the rights of conscience in faith and worship. And while our hearts overflow with gratitude, and our lips set forth the praises of our great Creator, that we also offer up fervent supplications, that it may please him to pardon all our offences, to give wisdom and unanimity to our public councils, to cement all our citizens in the bonds of affection, and to inspire them with an earnest regard for the national honor and interest, to enable them to improve the days of prosperity by every good work, and to be lovers of peace and tranquillity; that he may be pleased to bless us in our husbandry, our commerce and navigation; to smile upon our seminaries and means of education, to cause pure religion and virtue to flourish, to give peace to all nations, and to fill the world with his glory.

Done by the United States in Congress assembled, witness his excellency ELIAS BOUDINOT, our president, this 18th day of October, in the year of our Lord 1783, and of the sovereignty and independence of the United States of America the eighth.

On the report of a committee, consisting of Mr. Bland, Mr. B.



Huntington and Mr. Howell, to whom was referred a memorial from major Jackson.

*Resolved*, That the sum actually expended by Mr. Jackson, for defraying the necessary expenses of his journies to and from Paris and Amsterdam, on business committed to his charge by the hon. John Laurens, special minister to the court of France, and charged to the said Jackson, be passed to his credit.

*Resolved*, That 1455 dollars be allowed to Mr. Jackson, as a full compensation for his services while acting as secretary to the hon. John Laurens, on his mission to the court of France, his pay and emoluments in the army to cease during that period.

On the report of a committee, consisting of Mr. Ellery, Mr. Madison and Mr. Duane, to whom was referred a letter of the 7th, from major-general Greene.

*Resolved*, That two pieces of the field ordnance taken from the British army at the Cowpens, Augusta, or Eutaw, be presented by the commander in chief of the armies of the United States, to major-general Greene, as a public testimonial of the wisdom, fortitude and military skill which distinguished his command in the southern-department, and of the eminent services which amidst complicated difficulties and dangers, and against an enemy greatly superior in numbers, he has successfully performed for his country : and that a memorandum be engraved on the said pieces of ordnance, expressive of the substance of this resolution.

*Resolved*, That the commander in chief be informed, that major-general Greene hath the permission of Congress to visit his family at Rhode-Island.

A motion was made by Mr. M<sup>c</sup>Henry, seconded by Mr. Mercer, to re-consider the resolution, " that the consideration of the motion made by Mr. Gerry, be postponed till Wednesday ;" and when the question was about to be put, the determination thereof was postponed by the state of New-Jersey.

On the report of a committee, consisting of Mr. S. Huntington, Mr. Gerry and Mr. Duane, to whom was referred a letter of the 19th September, from the commander in chief, Congress passed the following proclamation.

*By the United States in Congress assembled.*

#### A PROCLAMATION.

WHEREAS in the progress of an arduous and difficult war, the armies of the United States of America, have eminently displayed every military and patriotic virtue, and are not less to be applauded for their fortitude and magnanimity in the most trying scenes of distress, than for a series of heroic and illustrious achievements, which exalt them to a high rank among the most zealous and successful defenders of the rights and liberties of mankind. And whereas by the blessing of Divine Providence on our cause and our arms, the glorious period is arrived when our national independence and sovereignty are established, and we enjoy the prospect of a permanent and honorable peace : we therefore, the United States in Congress assembled, thus impressed with a lively sense of the distinguished merit and good conduct of the



saïd armies, do give them the thanks of their country, for their long, eminent and faithful services. And it is our will and pleasure, that such part of the federal armies as stands engaged to serve during the war, and as by our acts of the 26th day of May, the 11th day of June, the 9th day of August, and the 26th day of September last, were furloughed, shall, from and after the 3d day of November next, be absolutely discharged by virtue of this our proclamation, from the saïd service: and we do also declare, that the further services in the field, of the officers who are deranged and on furlough, in consequence of our aforesaid acts, can now be dispensed with, and they have our full permission to retire from service, without being longer liable from their present engagements, to be called into command. And of such discharge and permission to retire from service respectively, all our officers, civil and military, and all others whom it may concern, are required to take notice, and to govern themselves accordingly.

Given under the seal of the United States in Congress assembled, witness his excellency ELIAS BOUDINOT, our president in Congress, this 18th day of October, in the year of our Lord 1783, and of the sovereignty and independence of the United States of America the eighth.

MONDAY, October 20, 1783.

On the question to re-consider the resolution postponing the consideration of Mr. Gerry's motion to Wednesday next, the yeas and nays being required by Mr. Boudinot,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. Tilton,	no	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>r</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Lee,	ay		
	Mr. Mercer,	ay	}	ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	ay
<i>South-Carolina,</i>	Mr. Izard,	ay		
	Mr. Beresford,	ay	}	ay

So it was resolved in the affirmative.

On the motion, that the consideration of Mr. Gerry's motion be postponed to Wednesday next, the yeas and nays being required by Mr. Boudinot,



<i>Massachusetts,</i>	Mr. Gerry,	no	} no
	Mr. Holten,	no	
	Mr. Osgood,	no	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} divided.
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} *
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	
<i>Delaware,</i>	Mr. Tilton,	ay	
<i>Maryland,</i>	Mr. Carroll,	no	} no
	Mr. M <sup>r</sup> Henry,	no	
<i>Virginia,</i>	Mr. Lee,	no	} no
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} no
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Izard,	no	} no
	Mr. Beresford,	no	

So the question was lost.

The motion of Mr. Gerry was then taken up, and being read in the words following :

Whereas the resolutions of Congress of the 7th inst. to erect buildings for their use at or near the falls of the Delaware, are not satisfactory to a respectable part of the United States, five of which, on the 8th instant, voted for a re-consideration of the said resolutions : And whereas Congress have no prospect of a general assent to any one place for their residence, and there is every reason to expect that the providing buildings for the alternate residence of Congress in two places, will be productive of the most salutary effects, by securing the mutual confidence and affections of the states, and preserving the federal balance of power : It is therefore *Resolved*, That buildings be likewise erected for the use of Congress, at or near the lower falls of Patowmack or George-town ; provided a suitable district on the banks of the river can be procured for a federal town, and the right of soil and an exclusive jurisdiction, or such other as Congress may direct, shall be vested in the United States.

A motion was made by Mr. Gerry, seconded by Mr. Mercer, to amend it by adding thereto :

“ And that until the buildings to be erected on the banks of the Delaware and Patowmack shall be prepared for the reception of Congress, their residence shall be alternately at equal periods of not more than one year, and not less than six months in Trenton and Annapolis ; and the president is hereby authorized and directed to adjourn Congress on the 10th day of November next, to meet at Annapolis on the 25th day of the same month, for the dispatch of public business.”

A motion was made by Mr. Ellery, seconded by Mr. Montgomery, to strike out the words “ one year, nor less than :” And on the question, shall those words stand ? the yeas and nays being required by Mr. Ellery,



<i>Massachusetts,</i>	Mr. Gerry,	no	}	no
	Mr. Holten,	no		
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	no	}	no
	Mr. Howell,	no		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. Tilton,	no		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Beresford,	ay		

So the question was lost, and the words were struck out.

On motion, the words "not more than six months," were also struck out.

A motion was then made by Mr. Duane, seconded by Mr. L'Hommedieu, to strike out the words "and Patowmack," "alternately at equal periods," "and Annapolis," "at Annapolis:" And on the question, shall those words stand? the yeas and nays being required by Mr. Duane,

<i>Massachusetts,</i>	Mr. Gerry,	ay	}	ay
	Mr. Holten,	ay		
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. Tilton,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Beresford,	ay		

So it was resolved in the affirmative.

On the question to agree to the amendment as amended, the yeas and nays being required by Mr. Mercer,



<i>Massachusetts,</i>	Mr. Gerry,	ay	} ay
	Mr. Holten,	ay	
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} divided.
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	no	} no
	Mr. L'Hommedieu,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	no	} *
<i>Pennsylvania,</i>	Mr. Montgomery,	no	
<i>Delaware,</i>	Mr. Tilton,	no	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>c</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Lee,	ay	} ay
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Izard,	ay	} ay
	Mr. Beresford,	ay	

So the question was lost.

— ❁ —

TUESDAY, October 21, 1783.

On motion of Mr. Lee, seconded by Mr. Carroll, the motion of Mr. Gerry, which was under debate yesterday, was taken into consideration,

And a motion was made by Mr. Ellery, seconded by Mr. Gerry, to amend it by adding thereto,

And that until the buildings to be erected on the banks of the Delaware and Patowmack shall be prepared for the reception of Congress, their residence shall be alternately at equal periods of not more than one year, and not less than six months in Trenton and Annapolis; and the president is hereby authorized and directed to adjourn Congress on the 12th day of November next, to meet at Annapolis on the 26th of the same month, for the dispatch of public business.

And on the question to agree to this amendment, the yeas and nays being required by Mr. Montgomery,

<i>New-Hampshire,</i>	Mr. Foster,	no	} *
<i>Massachusetts,</i>	Mr. Gerry,	ay	
	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	no	} no
	Mr. L'Hommedieu,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	no	} *
<i>Pennsylvania,</i>	Mr. Montgomery,	no	
<i>Delaware,</i>	Mr. Tilton,	no	



<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Beresford,	ay		

So it was resolved in the affirmative.

A division was then called for, and on the question, that buildings be likewise erected for the use of Congress at or near the lower falls of Patowmack or George-town; provided a suitable district on the banks of the river can be procured for a federal town, and the right of soil, and an exclusive jurisdiction, or such other as Congress may direct, shall be vested in the United States.

The yeas and nays being required by Mr. Beresford,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		
<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
<i>Delaware,</i>	Mr. Tilton,	no	}	*
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Lee,	ay		
	Mr. Mercer,	ay	}	ay
<i>North-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	ay
<i>South-Carolina,</i>	Mr. Izard,	ay		
	Mr. Beresford,	ay	}	ay

So it was resolved in the affirmative.

And on the question to agree to the second part. viz. "and that until the buildings to be erected, &c." to the end, the yeas and nays being required by Mr. Beresford,

<i>New-Hampshire,</i>	Mr. Foster,	no	}	*
<i>Massachusetts,</i>	Mr. Gerry,	ay		
	Mr. Holten,	ay	}	ay
	Mr. Osgood,	ay		
<i>Rhode-Island,</i>	Mr. Ellery,	ay	}	ay
	Mr. Howell,	ay		
<i>Connecticut,</i>	Mr. S. Huntington,	ay	}	ay
	Mr. B. Huntington,	ay		
<i>New-York,</i>	Mr. Duane,	no	}	no
	Mr. L'Hommedieu,	no		



<i>New-Jersey,</i>	Mr. Boudinot,	no	}	*
<i>Pennsylvania,</i>	Mr. Montgomery,	no	}	*
<i>Delaware,</i>	Mr. Tilton,	no	}	*
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay	}	
<i>Virginia,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay	}	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay	}	
<i>South-Carolina,</i>	Mr. Izard,	ay	}	ay
	Mr. Beresford,	ay	}	

So it was resolved in the affirmative.

The preamble being then taken into consideration, and the same being amended, the whole was agreed to as follows :

Whereas there is reason to expect that the providing buildings for the alternate residence of Congress in two places, will be productive of the most salutary effects, by securing the mutual confidence and affections of the states.

*Resolved,* That buildings be likewise erected for the use of Congress, at or near the lower falls of Patowmack or George-town ; provided a suitable district on the banks of the river can be procured for a federal town, and the right of soil, and an exclusive jurisdiction, or such other as Congress may direct, shall be vested in the United States : and that until the buildings to be erected on the banks of the Delaware and Patowmack shall be prepared for the reception of Congress, their residence shall be alternately at equal periods, of not more than one year, and not less than six months in Trenton and Annapolis ; and the president is hereby authorized and directed to adjourn Congress on the 12th day of November next, to meet at Annapolis on the 26th day of the same month, for the dispatch of public business.

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WEDNESDAY, October 22, 1783.

In pursuance to the orders of the 18th and 19th of August, the superintendent of finance transmitted to Congress,

1. An estimate of the foreign and domestic debt of the United States.

2. A computation of interest arrearages on the national debt to the 1st January, 1783, and interest for one year, on a supposition of the same becoming due in 1784.

3. Accounts of the emissions of bills of exchange, drawn by direction of Congress for the payment of interest ; and an account of the annual interest that was payable in Europe on loan-office certificates.

4. A statement of Mr. Grand's last account current, on the principles of the former arrangement of his account, dated 19th August, 1782.

On the report of a committee, consisting of Mr. Duane, Mr. Ellery and Mr. S. Huntington, to whom was referred a motion for transmitting copies of the preliminary articles of peace to the respective states ;

*Resolved,* That an exemplification of the provisional articles for restoring peace between the United States of America and Great-Bri-



tain, and of the act of ratification thereof by the United States, be transmitted to each of the respective states.

The committee, consisting of Mr. Duane, Mr. Carroll and Mr. Peters, to whom was referred a motion of Mr. Peters, together with an application of the legislature of Pennsylvania, relative to the purchase of the Indian claim of land within the jurisdiction of that state; report,

That it appears to them, that the application of the legislature of Pennsylvania, relative to a treaty for the purchase of the Indian claim to lands within the jurisdiction of that state, proceeded from a respectful attachment to the federal government, and a desire to guard against prejudices which might arise from the interference of their own particular views with the authority of the United States: That the public interest might have been deeply affected by a negotiation for such purchase independent of, and unconnected with the general treaty to be holden on behalf of the United States. For in the opinion of the committee, the idea of a division of councils, of separate interests, and a competition in purchases which two distinct treaties must have impressed on the minds of the Indians, could not but have had a tendency to diminish the dignity and authority of our government in their estimation, and expose both the United States and the individual state to unreasonable and extravagant impositions, and our public councils to great embarrassments. The committee, therefore, think it proper that it should be resolved,

That the commissioners for holding the convention with the Indians under the act of the 15th day of October inst. give notice to the supreme executive of the state of Pennsylvania, of the time and place of holding such treaty, to the end, that the persons to be appointed by that state, for purchasing lands within the limits thereof, at the expense of the said state, may attend at the time and place appointed for holding the said treaty: and the commissioners on the part of the United States, are instructed to give every aid in their power, to the commissioners on the part of Pennsylvania, in such manner as will best promote the object which the said state shall have in view, and not be incompatible with the national interests which the United States propose by the said treaty.

A motion was made by Mr. Gerry, seconded by Mr. Howell, to strike out the words "and not be," before incompatible, and in lieu thereof to insert, "provided nothing shall be done by virtue of this resolve:"

And on the question to agree to this amendment, the yeas and nays being required by Mr. Gerry,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
<i>Massachusetts,</i>	Mr. Gerry,	ay	
	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} no
	Mr. B. Huntington,	no	
<i>New-York,</i>	Mr. Duane,	no	} no
	Mr. L'Hommedieu,	no	



<i>New-Jersey,</i> <i>Pennsylvania,</i>	Mr. Boudinot,	no	} no	*
	Mr. Fitzsimmons,	no		
	Mr. Wilson,	no		
	Mr. Montgomery,	no		
	Mr. Peters,	no		
<i>Delaware,</i> <i>Maryland,</i>	Mr. Tilton,	no	} no	*
	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	no		
<i>Virginia,</i>	Mr. Madison,	no	} no	
	Mr. Lee,	no		
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	no	>	*

So the question was lost.

On the question to agree to the report of the committee, the yeas and nays being required by Mr. Montgomery,

<i>New-Hampshire,</i> <i>Massachusetts,</i>	Mr. Foster,	ay	} no	*
	Mr. Gerry,	no		
	Mr. Holten,	no		
	Mr. Osgood,	no		
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no	
	Mr. Howell,	no		
	Mr. S. Huntington,	ay		
<i>Connecticut,</i>	Mr. B. Huntington,	ay	} ay	
	Mr. Duane,	ay		
<i>New-York,</i>	Mr. L'Hommedieu,	ay	} ay	
	Mr. Boudinot,	ay		
	Mr. Fitzsimmons,	ay		
	Mr. Wilson,	ay		
	Mr. Montgomery,	ay		
<i>Delaware,</i> <i>Maryland,</i>	Mr. Peters,	ay	} ay	
	Mr. Tilton,	ay		
	Mr. Carroll,	ay		
	Mr. M <sup>r</sup> Henry,	ay		
	Mr. Madison,	ay		
<i>Virginia,</i>	Mr. Bland,	no	} ay	
	Mr. Lee,	ay		
	Mr. Mercer,	ay		
	Mr. Hawkins,	ay		
	Mr. Williamson,	ay		

So the question was lost.

THURSDAY, October 23, 1783.

The order of the day being called for, to take into consideration the report of a committee on a military peace arrangement,

*Ordered,* That the same be referred to a committee of the whole.

Congress was then resolved into a committee of the whole.

Mr. Carroll was elected to the chair.

The president resumed the chair, and Mr. Carroll reported, that the committee have taken into consideration the subject referred to them, and had come to a resolution thereon, which he was ordered



to report : the same being received and read, Mr. Carroll farther reported, that the committee not having come to a conclusion, desire leave to sit again.

*Ordered*, That the committee sit to-morrow.

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*FRIDAY, October 24, 1783.*

According to the order of the day, Congress was resolved into a committee of the whole, after some time the president resumed the chair, and Mr. Carroll reported, that the committee had taken into consideration the subject referred to them, but not having come to a conclusion, desire leave to sit again.

*Ordered*, That the committee of the whole sit to-morrow.

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*SATURDAY, October 25, 1783.*

The president, having this day laid before Congress a letter from the hon. P. J. Van Berckel, enclosing a copy of a letter of credence, by which it appears, that he is appointed minister plenipotentiary from their high mightinesses the states general of the United Netherlands, to the United States of America ; and the said minister having requested to be informed when and where Congress will admit him to an audience.

*Resolved*, That the said hon. P. J. Van Berckel, be received as minister plenipotentiary from their high mightinesses the states general of the United Netherlands ; and that agreeable to his request, he be admitted to a public audience in Congress.

That the Congress room in Princeton, on Thursday next at noon, be appointed as the time and place for such audience.

That the superintendant of finance and secretary at war, or either of them, perform on this occasion, the duties assigned to the secretary for foreign affairs, in the ceremonial respecting foreign ministers ; and that they inform the supreme executives of New-Jersey and Pennsylvania, his excellency the commander in chief, the honorable the minister plenipotentiary of France, and such civil and military gentlemen as are in or near Princeton, of the public audience to be given to the honorable the minister plenipotentiary of their high mightinesses the states general of the United Netherlands.

*Ordered*, That the superintendant of finance and secretary at war, or either of them, take order for an entertainment to be given at the public expense, to the hon. P. J. Van Berckel, minister plenipotentiary from their high mightinesses the states general of the United Netherlands, to the United States of America, on Thursday next, the day assigned for the public audience of the said minister.

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*MONDAY, October 27, 1783.*

Only three states attended ; namely, Massachusetts, New-York and Pennsylvania ; and from Rhode-Island, Mr. Ellery, from New-Jersey, Mr. Clark, from Maryland, Mr. Carroll, and from North-Carolina, Mr. Williamson.

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*TUESDAY, October 28, 1783.*

Only six states attended ; namely, Massachusetts, Rhode-Island,



New-York, New-Jersey, Pennsylvania and Maryland; and from the state of Connecticut, Mr. B. Huntington, from the state of Delaware, Mr. Tilton, and from North-Carolina, Mr. Williamson.

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WEDNESDAY, October 29, 1783.

On the report of a committee, consisting of Mr. Williamson, Mr. Lee and Mr. Clark, to whom was referred a memorial from gen. Armand.

*Resolved*, That though Congress are desirous to accommodate all the officers and soldiers who are entitled to land, in such manner as may be most convenient and acceptable to the army, they cannot at present make any appropriations, much less can they assign certain districts to any particular corps.

That the commander in chief be, and he is hereby directed to discharge all the troops in the service of the United States, who are now in Pennsylvania or to the southward thereof, except the garrison of Fort-Pitt.

A letter, of 26th, from the hon. P. J. Van Berckel, was read; whereupon,

*Resolved*, That the audience to be given to the said minister, be postponed till Friday next.

On the report of a committee, consisting of Mr. Duane, Mr. Lee and Mr. B. Huntington, to whom was referred a letter from major-general Lincoln:

*Resolved*, That the resignation of major-general Lincoln as secretary at war for the United States, be accepted, in consideration of the earnest desire which he expresses, (the objects of the war being so happily accomplished) to retire to private life. And that he be informed, that the United States in Congress assembled, entertain a high sense of his perseverance, fortitude, activity and meritorious services in the field, as well as of his diligence, fidelity and capacity in the execution of the office of secretary at war, which important trusts he has discharged to their entire approbation.

*Resolved*, That notwithstanding the foregoing acceptance, it is the intention of Congress, that general Lincoln shall continue to exercise the duties of secretary at war, until the 12th day of November next.

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THURSDAY, October 30, 1783.

On the report of a committee, consisting of Mr. Clark, Mr. Bland and Mr. M<sup>c</sup>Henry, to whom was referred a letter of the 26th September last, from R. Varick,

*Resolved*, That it be recommended to the executive of the state of New-York, to settle with and pay lieutenant-colonel Richard Varick, by allowing him what his arrears of pay, and years advance as deputy muster-master-general was worth in specie at the time they respectively became due, and charge the same to the United States.

On motion of Mr. Osgood, seconded by Mr. Holten,

*Resolved*, by nine states, That general Knox be allowed the pay of a major-general in a separate department, during his command at West-Point; his additional pay granted by the resolution of the 12th of January, 1781, to cease during the time he received the foregoing allowance.



That the superintendant of finance take order for paying to major-general Knox, the arrears of such subsistence as majors general in a separate department have heretofore received.

On a report of the secretary at war,

*Resolved*, That the commissioner for settling the accounts of the quarter-master's department be, and he is hereby directed to settle the accounts of general Bailey which he has against the United States, for money advanced, supplies given, and services rendered by him.

On the report of a committee, consisting of Mr. Beresford, Mr. Williamson and Mr. Mercer, to whom was referred a letter from G. Bond, deputy secretary of Congress,

*Resolved*, by nine states, That the superintendant of finance take order for the payment of 500 dollars to G. Bond, deputy secretary of Congress, on account of his extra services.

On motion of Mr. Read, seconded by Mr. Condict,

*Resolved*, That the question on the report of the committee on a motion of Mr. Peters, and an application of the legislature of Pennsylvania, relative to the purchase of the Indian claim of land within the jurisdiction of that state, which was lost on the 22d, be re-considered.

The report being taken up and read,

A motion was made by Mr. Ellery, seconded by Mr. Howell, to add to the resolution, "provided that no treaty shall be entered into with the Indians by the commissioners appointed by the state of Pennsylvania, until the commissioners appointed by these United States for negotiating a treaty with the Indians shall have completed the same:"

And on the question to agree to this, the yeas and nays being required by Mr. Duane,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	ay		
	Mr. Osgood,	ay	}	ay
<i>Rhode-Island,</i>	Mr. Ellery,	ay		
	Mr. Howell,	ay	}	ay
<i>Connecticut,</i>	Mr. S. Huntington,	no		
	Mr. B. Huntington,	no	}	no
<i>New-York,</i>	Mr. Duane,	no		
	Mr. L'Hommedieu,	no	}	no
<i>New-Jersey,</i>	Mr. Boudinot,	no		
	Mr. Condict,	no	}	no
<i>Pennsylvania,</i>	Mr. Montgomery,	no		
	Mr. Peters,	no	}	no
<i>Maryland,</i>	Mr. Carroll,	no		
	Mr. M <sup>r</sup> Henry,	no	}	no
<i>Virginia,</i>	Mr. Lee,	ay		
	Mr. Mercer,	no	}	divided.
<i>North-Carolina,</i>	Mr. Hawkins,	no		
	Mr. Williamson,	no	}	no
<i>South-Carolina,</i>	Mr. Read,	no		
		no	}	*

So it passed in the negative.

A motion was then made by Mr. Howell, seconded by Mr. Ellery, to add by way of amendment,



“ Nor with the exclusive right of Congress to negotiate treaties, regulate trade, and manage all affairs with the Indians not members of any particular state :” and on the question to agree to this amendment, the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
<i>Connecticut,</i>	Mr. S. Huntington,	no	} no
	Mr. B. Huntington,	no	
<i>New-York,</i>	Mr. Duane,	no	} no
	Mr. L'Hommedieu,	no	
<i>New-Jersey,</i>	Mr. Boudinot,	no	} divided.
	Mr. Condict,	ay	
<i>Pennsylvania,</i>	Mr. Montgomery,	no	} no
	Mr. Peters,	no	
<i>Maryland,</i>	Mr. Carroll,	ay	} ay
	Mr. M <sup>c</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Lee,	ay	} ay
	Mr. Mercer,	ay	
<i>North-Carolina,</i>	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
<i>South-Carolina,</i>	Mr. Read,	no	} *

So the question was lost.

On motion of Mr. Huntington, seconded by Mr. Howell,

*Resolved,* That the resolution reported by the committee be amended by adding, “ for the sole purpose of making such purchase,” after the word attend.

On motion of Mr. Howell, seconded by Mr. Ellery, to strike out the words, “ and the commissioners on the part of the United States,” &c. to the end: A question was taken, shall those words stand? and the same being lost, the words were struck out.

A motion was then made by Mr. Williamson, seconded by Mr. Holten, to add in lieu of the words struck out,

“ And the commissioners on the part of the United States, are instructed to give every assistance in their power, to the commissioners who may be appointed on the part of Pennsylvania, towards promoting the interest of that state, as far as the same may consist with the general interest of the union :”

And on the question to agree to this, the yeas and nays being required by Mr. Williamson,

<i>New-Hampshire,</i>	Mr. Foster,	ay	} *
<i>Massachusetts,</i>	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
<i>Rhode-Island,</i>	Mr. Ellery,	no	} no
	Mr. Howell,	no	
<i>Connecticut,</i>	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	



<i>New-York,</i>	Mr. Duane,	ay	}	ay
	Mr. L'Hommedieu,	ay		
<i>New-Jersey,</i>	Mr. Boudinot,	ay	}	ay
	Mr. Conduct,	ay		
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	}	ay
	Mr. Peters,	ay		
<i>Maryland,</i>	Mr. Carroll,	ay	}	ay
	Mr. M <sup>c</sup> Henry,	ay		
<i>Virginia,</i>	Mr. Lee,	ay	}	ay
	Mr. Mercer,	ay		
<i>North-Carolina,</i>	Mr. Hawkins,	ay	}	ay
	Mr. Williamson,	ay		
<i>South-Carolina,</i>	Mr. Read,	ay	}	divided.
	Mr. Beresford,	no		

So it was resolved in the affirmative.

On the question to agree to the resolution as amended, the yeas and nays being required by Mr. Read,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	ay		
	Mr. Osgood,	no	}	divided.
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no
<i>Connecticut,</i>	Mr. S. Huntington,	ay		
	Mr. B. Huntington,	ay	}	ay
<i>New-York,</i>	Mr. Duane,	ay		
	Mr. L'Hommedieu,	ay	}	ay
<i>New-Jersey,</i>	Mr. Boudinot,	ay		
	Mr. Conduct,	ay	}	ay
<i>Pennsylvania,</i>	Mr. Montgomery,	ay		
	Mr. Peters,	ay	}	ay
<i>Maryland,</i>	Mr. Carroll,	ay		
	Mr. M <sup>c</sup> Henry,	ay	}	ay
<i>Virginia,</i>	Mr. Lee,	ay		
	Mr. Mercer,	ay	}	ay
<i>South-Carolina,</i>	Mr. Hawkins,	ay		
	Mr. Williamson,	ay	}	ay
<i>North-Carolina,</i>	Mr. Read,	ay		
	Mr. Beresford,	no	}	divided.

So it was resolved in the affirmative.

The preamble being then taken into consideration, a motion was made by Mr. Osgood, seconded by Mr. Howell, to strike out the words, "for in the opinion of the committee, the idea of a division of councils," &c. to the end: and on the question, shall those words stand? the yeas and nays being required by Mr. Howell,

<i>New-Hampshire,</i>	Mr. Foster,	ay	}	*
<i>Massachusetts,</i>	Mr. Holten,	no		
	Mr. Osgood,	no	}	no
<i>Rhode-Island,</i>	Mr. Ellery,	no		
	Mr. Howell,	no	}	no



<i>Connecticut,</i>	Mr. S. Huntington,	no	} <i>divided.</i>
	Mr. B. Huntington,	ay	
<i>New-York,</i>	Mr. Duane,	ay	} <i>ay</i>
	Mr. L'Hommedieu,	ay	
<i>New-Jersey,</i>	Mr. Boudinot,	ay	} <i>divided.</i>
	Mr. Conduct,	no	
<i>Pennsylvania,</i>	Mr. Montgomery,	ay	} <i>ay</i>
	Mr. Peters,	ay	
<i>Maryland,</i>	Mr. Carroll,	ay	} <i>ay</i>
	Mr. M <sup>c</sup> Henry,	ay	
<i>Virginia,</i>	Mr. Lee,	no	} <i>no</i>
	Mr. Mercer,	no	
<i>North-Carolina,</i>	Mr. Hawkins,	no	} <i>no</i>
	Mr. Williamson,	no	
<i>South-Carolina,</i>	Mr. Read,	ay	} <i>ay</i>
	Mr. Beresford,	ay	

So the question was lost, and the words were struck out.

The preamble was then agreed to as amended, and the whole is as follows :

Whereas it appears that the application of the legislature of Pennsylvania, relative to a treaty for the purchase of the Indian claim to lands within the jurisdiction of that state, proceeded from a respectful attachment to the federal government, and a desire to guard against prejudices which might arise from the interference of their own particular views with the authority of the United States : That the public interest might have been deeply affected by a negotiation for such purchase independent of, and unconnected with the general treaty to be holden on behalf of the United States :

*Resolved*, That the commissioners for holding the convention with the Indians under the act of the 15th day of October inst. give notice to the supreme executive of the state of Pennsylvania, of the time and place of holding such treaty, to the end, that the persons to be appointed by that state, for purchasing lands within the limits thereof, at the expense of the said state, may attend for the sole purpose of making such purchase, at the time and place appointed for holding the said treaty : and the commissioners on the part of the United States, are instructed to give every assistance in their power, to the commissioners who may be appointed on the part of Pennsylvania, towards promoting the interest of that state, as far as the same may consist with the general interest of the union.

On a memorial from Robert Patton, messenger,

*Resolved*, That the sum of ten dollars per month be allowed to Robert Patton, in addition to his salary, from the 21st day of June last, to the 12th of November next, for his extra services and expenses.

A motion was made by Mr. Williamson, seconded by Mr. Lee,

That in case a president shall not be chosen on or before the 12th day of November next, the secretary adjourn Congress on that day, to meet at Annapolis on the 26th of the said month, according to the resolution of the 20th instant.

On the question to agree to this, the yeas and nays being required by Mr. Peters,



<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Osgood,</i>	<i>ay</i>		
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Howell,</i>	<i>ay</i>		
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>B. Huntington,</i>	<i>ay</i>		
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>L'Hommedieu,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Montgomery,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Peters,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M<sup>c</sup>Henry,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Lee,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Mercer,</i>	<i>ay</i>		
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Williamson,</i>	<i>ay</i>		
<i>South-Carolina,</i>	Mr. <i>Read,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Beresford,</i>	<i>ay</i>		

So it was resolved in the affirmative.

A motion was made by Mr. Lee, seconded by Mr. Holten,

That a committee be appointed to repair to the lower falls of Patowmack, to view the situation of the country in the vicinity of the same, and report a proper district for carrying into effect the resolution of the 21st of October.

Whereupon a motion was made by Mr. Howell, seconded by Mr. Carroll, to amend the foregoing motion by adding,

“And that the committee appointed on the 7th day of October inst. to report the most suitable place for erecting buildings for the accommodation of Congress, near the falls of the Delaware, be directed to report as soon as may be.”

On the question to agree to this amendment, the yeas and nays being required by Mr. Howell,

<i>Massachusetts,</i>	Mr. <i>Holten,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Osgood,</i>	<i>ay</i>		
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Howell,</i>	<i>ay</i>		
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>B. Huntington,</i>	<i>ay</i>		
<i>New-York,</i>	Mr. <i>Duane,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>L'Hommedieu,</i>	<i>no</i>		
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Condict,</i>	<i>no</i>		
<i>Pennsylvania,</i>	Mr. <i>Montgomery,</i>	<i>no</i>	}	<i>no</i>
	Mr. <i>Peters,</i>	<i>no</i>		
<i>Maryland,</i>	Mr. <i>Carroll,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>M<sup>c</sup>Henry,</i>	<i>ay</i>		
<i>Virginia,</i>	Mr. <i>Lee,</i>	<i>ay</i>	}	<i>ay</i>
	Mr. <i>Mercer,</i>	<i>ay</i>		



<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay	} ay
	Mr. <i>Williamson,</i>	ay	
<i>South-Carolina,</i>	Mr. <i>Read,</i>	ay	} ay
	Mr. <i>Beresford,</i>	ay	

So it was resolved in the affirmative.

On the question to agree to the motion of Mr. Lee, which was divided from the amendment, at the request of a member, the yeas and nays being required by Mr. Peters,

<i>Massachusetts,</i>	Mr. <i>Holten,</i>	ay	} ay
	Mr. <i>Osgood,</i>	ay	
<i>Rhode-Island,</i>	Mr. <i>Ellery,</i>	ay	} ay
	Mr. <i>Howell,</i>	ay	
<i>Connecticut,</i>	Mr. <i>S. Huntington,</i>	ay	} ay
	Mr. <i>B. Huntington,</i>	ay	
<i>New-York,</i>	Mr. <i>Duane,</i>	no	} no
	Mr. <i>L'Hommedieu,</i>	no	
<i>New-Jersey,</i>	Mr. <i>Boudinot,</i>	no	} no
	Mr. <i>Condict,</i>	no	
<i>Pennsylvania,</i>	Mr. <i>Montgomery,</i>	no	} no
	Mr. <i>Peters,</i>	no	
<i>Maryland,</i>	Mr. <i>Carroll,</i>	ay	} ay
	Mr. <i>M<sup>r</sup> Henry,</i>	ay	
<i>Virginia,</i>	Mr. <i>Lee,</i>	ay	} ay
	Mr. <i>Mercer,</i>	ay	
<i>North-Carolina,</i>	Mr. <i>Hawkins,</i>	ay	} ay
	Mr. <i>Williamson,</i>	ay	
<i>South-Carolina,</i>	Mr. <i>Read,</i>	ay	} ay
	Mr. <i>Beresford,</i>	ay	

So it was resolved in the affirmative.

The second part was agreed to, and the whole is as follows :

*Resolved,* That a committee be appointed to repair to the lower falls of Patowmack, to view the situation of the country in the vicinity of the same, and report a proper district for carrying into effect the resolution of the 21st of October ; and that the committee appointed on the 7th of October, to report the most suitable place for erecting buildings for the accommodation of Congress, near the falls of the Delaware, be directed to report as soon as may be.

The members, Mr. Hawkins, Mr. Gerry, Mr. Carroll, Mr. Mercer and Mr. Williamson.

A motion was then made by Mr. Howell, seconded by Mr. Mercer,

That the president transmit to the executives of New-Jersey, Pennsylvania, Maryland and Virginia, copies of the acts of Congress of the 7th inst. respecting buildings to be erected for a federal town on the banks of the Delaware ; and of the acts of the 21st inst. respecting buildings to be erected on the banks of Patowmack, for a second federal town, and the adjournment of Congress to Annapolis ; and that copies be also transmitted to the several other states in the union.

A division was called for, and a question taken on the first clause, as far as " Delaware," inclusive ; passed in the affirmative.

On the question to agree to the second clause, from Delaware to the end, the yeas and nays being required by Mr. Peters,



Massachusetts,	Mr. Holten,	ay	} ay
	Mr. Osgood,	ay	
Rhode-Island,	Mr. Ellery,	ay	} ay
	Mr. Howell,	ay	
Connecticut,	Mr. S. Huntington,	ay	} ay
	Mr. B. Huntington,	ay	
New-York,	Mr. Duane,	ay	} ay
	Mr. L'Hommedieu,	ay	
New-Jersey,	Mr. Boudinot,	ay	} divided.
	Mr. Condict,	no	
Pennsylvania,	Mr. Montgomery,	no	} no
	Mr. Peters,	no	
Maryland,	Mr. Carroll,	ay	} ay
	Mr. M <sup>c</sup> Henry,	ay	
Virginia,	Mr. Lee,	ay	} ay
	Mr. Mercer,	ay	
North-Carolina,	Mr. Hawkins,	ay	} ay
	Mr. Williamson,	ay	
South-Carolina,	Mr. Read,	ay	} ay
	Mr. Beresford,	ay	

So it was resolved in the affirmative.

FRIDAY, October 31, 1783.

Mr. George Bond, deputy secretary, having informed, that the state of his private affairs will not suffer him to continue longer in the service of the public, and therefore tendered to Congress his resignation of the appointment of deputy secretary.

*Resolved*, That the resignation of Mr. George Bond, deputy secretary of Congress, be accepted; and that he be informed, Congress approve the fidelity and assiduity with which he has discharged the duties of his appointment.

On motion of Mr. Mercer, seconded by Mr. Williamson,

*Resolved*, That the secretary be, and he is hereby empowered and instructed, to continue to employ Mr. John Dunlap, to print for Congress; and to inform him, that Congress expect he will keep his office at the place where they may reside.

Nathan Jones, a clerk in the war-office, having informed, that he is under a necessity of quitting his office,

*Resolved*, That the account of Nathan Jones, a clerk in the war-office, for his salary, be made up to the first of January next, in consideration of his faithful services.

The committee, consisting of Mr. Clark, Mr. Holten and Mr. Hawkins, to whom was referred a memorial from Henry Remsen, jun. and Benjamin Bankson, clerks in the secretary's office; report,

That at a time when Congress are taking measures to reduce the national expenses, it will be highly improper to augment salaries, yet considering the increased labour of the memorialists, occasioned by the reduced number of clerks in the secretary's office, and the temporary suspension of the department for foreign affairs, the committee are of opinion, that some allowance ought to be made them for such extra services: whereupon,



*Resolved*, by nine states, That there be allowed to Henry Remsen, jun. and Benjamin Bankson, the two clerks in the secretary's office, 200 dollars each for their extra services.

A contract between his most Christian majesty and the United States of America, entered into on the 25th day of February, 1783, being laid before Congress,

*Resolved*, That the same be ratified in the terms following :

*The United States in Congress assembled,*

To all who shall see these presents, send greeting :

Whereas Benjamin Franklin, our minister plenipotentiary at the court of Versailles, in pursuance of the powers in him vested, did on the 25th day of February, in the year 1783, with Charles Gravier de Vergennes, &c. counsellor of the king in all his councils, commander of his orders, minister and secretary of state, &c. vested with full power of his most Christian majesty for the purpose, enter into, conclude and sign a contract between his most Christian majesty and the United States of North-America, in the words following, viz.

(Here insert the contract at large.)

NOW KNOW YE, That we the said United States in Congress assembled, impressed with a lively sense of the assistance and affection manifested by his most Christian majesty in the above contract, have ratified and confirmed, and by these presents do ratify and confirm the said contract, and every article thereof; and we do hereby empower our minister plenipotentiary at the court of Versailles, to deliver this our ratification in exchange for the ratification of the said contract on the part of his most Christian majesty. In testimony whereof, we have caused our seal to be hereunto affixed, witness his excellency ELIAS BOUDINOT, president, this 31st day of October, 1783, and of our sovereignty and independence the eighth.

On the report of a committee, consisting of Mr. Duane, Mr. Gerry and Mr. Lee, to whom was referred a report of the secretary for foreign affairs, respecting an agent or consul at Madeira,

*Resolved*, That a commercial agent be appointed to assist the merchants and other citizens of these United States, trading to the Island of Madeira and Porto Santo.

The ballots being taken,

Mr. John Marsden Pintard was elected.

According to order, the hon. P. J. Van Berckel, minister plenipotentiary from their high mightinesses the states general of the United Netherlands, was admitted to an audience :

And upon being introduced, he addressed Congress in a speech, of which the following is a translation :

*Gentlemen of the Congress,*

Previous to my laying before you the commission with which their high mightinesses the states general of the United Netherlands have honored me, permit me to express the joy I feel on finding myself this day in this assembly, and meeting those illustrious men whom the present age admires, and whom posterity will always point to as models of patriotism, and whose merits eternity itself can alone recompence.

While all Europe kept its eyes fixed on your exploits, their high mightinesses could not refrain from very seriously interesting them-



selves therein, recollecting as they always did the dangers and difficulties to which their fore-fathers were subjected, before they could free themselves from the yoke in which they were enthralled. They knew better than any other the worth of independence, and they knew better to set a just value on the greatness of your designs. They applauded your generous enterprize, which was inspired by a love of your country, conducted with prudence and supported with heroic courage; and they rejoiced at the happy success which crowned your labours.

In order to convince you of their affection, and the part they take in whatever regards your republic, my masters have charged me to congratulate you on the accomplishment of your desire, which had for its object the power of your own absolute will, and the enjoyment of that inestimable and natural treasure, which places you in the rank of sovereign and independent powers.

How flattering is it to me to find myself this day the organ and interpreter of the sentiments and dispositions of my masters, and to have it in my power to assure you, on their behalf, that there is nothing which they more ardently wish than the happiness of your republic, and the establishment of the union of your states. May this union, founded on the principles of true patriotism and a love for the public good, be cemented in such a manner, that neither false ambition, jealousy, or private interest, may ever be able to do it the least injury. May the administration of a wise and prudent government, dispense happiness and plenty among the people, and give them a glory extended from pole to pole, and as lasting as ages.

GENTLEMEN,

Their high mightinesses are not content with sending compliments of congratulation, which are in themselves unfruitful, but being convinced that an intercourse of commerce and mutual good will, are the surest means of binding closer the sacred bonds of friendship, which already unite you together; they have commanded me to assure you, that they have nothing nearer at heart, than to labour effectually to render this friendship fruitful and profitable, and to contribute as far as possible to the aggrandizement of an ally, from whom they promise themselves the same efforts. This is a sketch, but a very feeble and imperfect sketch, of the sentiments of my masters, whose sincerity surpasses expression, but which is however manifested in the letter which I shall have the honor to deliver you. This, gentlemen, this is the purpose of the mission with which they have honored me. May it be in my power worthily to answer their expectation, and at the same time to gain your affection and confidence, which are so necessary for the success of my undertaking. As to myself, without guile and without artifice, I shall always conduct myself with that rectitude, candor and cordiality which form the distinguished character of a true republican, and which is at the same time the best security for my attaining the point of my ambition, which is that of gaining the approbation of Congress, the friendship of its members, and the esteem of the United States of America.

He then delivered the letter from their high mightinesses the states general, of which the following is a translation.



*To the United States of America, in Congress assembled.*

*Our Friends and Allies,*

WITH very great satisfaction did we, by the reception of the hon. Mr. Adams, your minister with our state, acknowledge the independence of your republic ; and with equal and much greater delight have we received the pleasing tidings of the conclusion of the preliminary articles of peace, by which the court of Great-Britain has declared you free and independent states. We have long ardently wished for this happy period, having, for several years past, with sorrow seen the troubles and difficulties with which you were obliged to struggle. And we do most cordially congratulate you on this happy event, sincerely taking a share in your present agreeable situation.

To give a testimony of our sentiments in this respect, and to convince you of our unfeigned esteem, we have thought it proper to send to you an envoy extraordinary ; we have for that purpose chosen a gentleman of distinction, whose personal qualifications are in great repute among us ; the hon. Mr. Peter John Van Berckel, burgo-master of the city of Rotterdam, and a deputy in our assembly. We hope and trust that you will graciously receive this gentleman in quality of our minister plenipotentiary, and when he shall have the honor to deliver you these presents, and to enter into farther negociations with you, that you will give full faith unto him as unto ourselves, being assured that he will not be able to express in terms too strong the sentiments of esteem and reverence which we have for a long time possessed for that wisdom, courage and perseverance by which you have rendered yourselves famous throughout the world.

May God grant that your rising republic may become more and more prosperous ; that it may increase in lustre and glory, and subsist to the end of time.

We shall at all times rejoice in your increasing felicity ; and we desire nothing more ardently than that we may maintain the strictest friendship and correspondence with you, for the good of the subjects and inhabitants of both countries.

This letter being read, the president returned the following answer to the minister :

SIR,

IN a contest for the rights of human nature, the citizens of the United States of America, could not but be impressed with the glorious example of those illustrious patriots, who, triumphing over every difficulty and danger, established the liberties of the United Netherlands on the most honorable and permanent basis. Congress, at an early period of the war, sought the friendship of their high mightinesses ; convinced that the same inviolable regard for liberty, and the same wisdom, justice and magnanimity which led their fore-fathers to glory, was handed down unimpaired to their posterity ; and our satisfaction was great in accomplishing with them a treaty of amity and commerce on terms so acceptable to both nations.

With the sincerest pleasure, sir, we receive the honorable testimonials of confidence and esteem of their high mightinesses, and their af-



fectionate congratulations on the success of our efforts in the sacred cause of liberty.

We assure you, sir, that it is our earnest desire, to unite with their high mightinesses in every measure which can promote the most unre-served confidence, and the most friendly intercourse between two na-tions, which have vindicated their freedom amidst the most trying scenes of danger and distress, and have been equally blessed by the gracious interposition of Divine Providence, with that sovereignty and independence so essential to their safety and happiness.

Governed by the same ardent love of freedom, and the same maxims of policy ; cemented by a liberal system of commerce, and earnestly disposed to advance our mutual prosperity, by a reciprocity of good of-fices ; we persuade ourselves that the most friendly and beneficial con-nection between the two republics, will be preserved inviolate to the latest ages.

It adds, sir, greatly to our pleasure on this interesting occasion, that their high mightinesses have employed as their minister, a gentleman so highly celebrated for rectitude and patriotism, and from whose illustrious fa-mily these United States have received the most distinguished proofs of regard and friendship.

The secretary at war reported, that the following lines, corps and in-dividuals, have agreed to accept the commutation of five years pay, in lieu of the half-pay for life, as appears by the papers accompanying his report :

The lines of New-Hampshire, Massachusetts, Rhode-Island, Con-necticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland and Virginia.

Armand's legion, two light-dragoons, Hazen's regiment :

Corps of engineers, sappers and miners, Patton's and Pendleton's artificers, Van Heer's troop :

Adjutant-general and family, brigadier-general Clinton :

Colonel William Grayson, colonel Malcolm, lieutenant-colonel Morris :

Major Franks, major Aquilla Giles, major M'Pherson, major Burnet, major Barber, major Bruin, of the artificers, captain Turner, captain Bentalon, captain John Stevens, captain M'Lane, captain Second, lieutenant Beaulieu, lieutenant Jolibois, hospital-department and Dr. Tilton, Dr. Bodo Otto, Dr. Frederick Otto, Dr. Martin.

The Rev. Mr. Ellis, Mr. Plumb, and Mr. Armstrong.

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SATURDAY, November 1, 1783.

On the report of a committee, consisting of Mr. Hamilton, Mr. Madison and Mr. Peters, to whom was referred a letter of 14th March, 1783, from the secretary at war :

*Resolved*, That all lieutenant-colonels commandant in the army of the United States, shall rank as full colonels from the date of their respective commissions, and that new commissions issue accordingly, the resolution of the 27th May, 1778, notwithstanding.

On the report of a committee, consisting of Mr. S. Huntington, Mr. A. Lee and Mr. Duane, to whom were referred a letter from



captian J. P. Jones, to the agent of marine, of the 13th October, and a letter from him to Congress of the 18th of the same month,

*Resolved*, That captain John Paul Jones be, and he hereby is recommended to the minister plenipotentiary of the United States, at the court of Versailles, as agent, to solicit under the direction of the said minister, for payment and satisfaction to the officers and crews, for all prizes taken in Europe under his command, and to which they are anywise entitled. And that the said captain J. P. Jones, shall receive the commission usually allowed in such cases, out of the money which he shall recover as agent for the said prizes, in full compensation for his services and expenses: Provided always, that the said captain J. P. Jones, previous to his entering upon the execution of the said trust, shall give to the superintendant of finance, for the benefit of all concerned, sufficient bonds with good security, for the faithful discharge thereof, and for the just payment of the same to the said superintendant of finance, to be by him distributed to those persons who may be entitled thereto.

A letter, of this day, from major-general Greene, was read, stating, that the letters and miscellaneous papers, containing a history of the most material parts of the southern operations, may contain some things which Congress or their officers may hereafter have occasion to refer to: That if Congress should think it an object worthy the expense, he would be glad to get the whole papers transcribed into bound books, and would take the trouble of directing the business, if Congress will be at the expense of a clerk to do the writing: whereupon,

*Ordered*, That the secretary furnish general Greene with a clerk, to copy into a book or books, the papers or letters in his possession, relative to the southern operations; and that the record thereof be lodged in the secretary's office:

*Resolved*, That the agent of marine provide captain J. P. Jones with a passage to France, in the ship Washington.

On a report from the secretary at war, to whom was referred a petition from lieutenant Richard Fullerton, and a motion thereon; Congress came to the following resolution:

Lieutenant Richard Fullerton having acted as a volunteer at an early period of the war, particularly in the action on Long-Island, and at the battles of Trenton and Princeton; and having discharged the several extra appointments of adjutant, major of brigade, and the important one of assistant adjutant-general to the southern army, highly to the satisfaction of his general officers:

*Resolved*, That the secretary at war issue to lieutenant Fullerton, the brevet commission of captain.

On motion of Mr. Ellery, seconded by Mr. Williamson,

*Ordered*, That the post-master-general enquire into the circumstances of the mail being stolen out of the post-office in Princeton, on last Thursday evening, and make report thereof to Congress.

The committee, consisting of Mr. Carroll, Mr. Duane and Mr. S. Huntington, to whom was referred a motion of Mr. Wilson, to devise means for procuring a full representation in Congress, having reported,

“ That whether from the peculiar circumstances some of the states



have been under during the war, or that the states in general were not sufficient impressed with the importance of keeping up a constant representation in Congress, the committee cannot find on examining the journals, notwithstanding the repeated earnest recommendations for that purpose, that all the states have been represented at the same time : it appears that frequently there have not been more than nine states, and too generally not more than a competent representation for the lesser objects of the confederation. As the articles of confederation are silent upon this subject, any further than by fixing the number of delegates for each state, and by declaring how many shall constitute a representation, the committee presume such silence was in consequence of a firm reliance that the states could not be inattentive to a duty not only essential to the interests of each state, but likewise to a principle on which the federal government itself rests.

The articles of confederation requiring, for certain purposes, the agreement of nine states ; and as it has seldom happened more than that number have attended, the committee conceive, that not only the injury the public and individuals have suffered hereby, have been occasioned, in many instances, by the absence of the delegates of some of the states, but likewise that the spirit of the articles of confederation have been defeated, by making an unanimity necessary, whereas nine only out of thirteen are required. And the committee are further of opinion, that unless the states pursue effectual measures for keeping up a constant representation, another material object of the confederation will be frustrated. The delays unavoidable for want of a full representation, will, they conceive, oblige Congress to remain sitting the whole year, whereas by the articles of confederation it appears, that it was expected part of the business of the United States, would be transacted by a committee of the states.

The committee therefore are of opinion, that it should be earnestly recommended to the respective states, to take the most effectual measures to obtain, at all times, while Congress are sitting, a full representation, that the delay of business, which has proved so injurious to the public, and grievous to individuals, may no longer be a subject of complaint.

*Resolved*, That Congress agree to the said report ;

And in order that the states may have a proper knowledge of the circumstances Congress shall be under in this respect,

*Resolved*, That every morning, at eleven o'clock, an account be taken of the attendance of the several delegates in Congress, and a copy thereof, together with an account of the states unrepresented, be sent to the executive of each state.

On the report of a committee, consisting of Mr. S. Huntington, Mr. Duane and Mr. Madison, to whom were referred, among other things, a letter from the superintendant of finance, of the 15th September last, and sundry papers therein enclosed,

*Resolved*, That it be an instruction to the superintendant of finance, to inform the farmers general of France, that Congress are sensible of their generous attention to the circumstances of the war in which these United States have been so long engaged, and which, interrupting



their commerce, deprived them of the means of seasonable remittances, to satisfy the balance so justly due on the loan made by them.

That the United States in Congress assembled, in providing for the national debt, by their act of the 18th day of April, 1783, were not unmindful of the demands of said farmers general; and when the system thereby adopted for the relief of public creditors shall have taken effect, the interest accruing on the balance due to the said farmers general will be punctually remitted: And that if this arrangement shall not prove satisfactory to the farmers general, they shall be assured in the name of the United States, that all the means in their power shall be employed to discharge the principal sum due to the said farmers general, as soon as the condition of the public finances will admit.

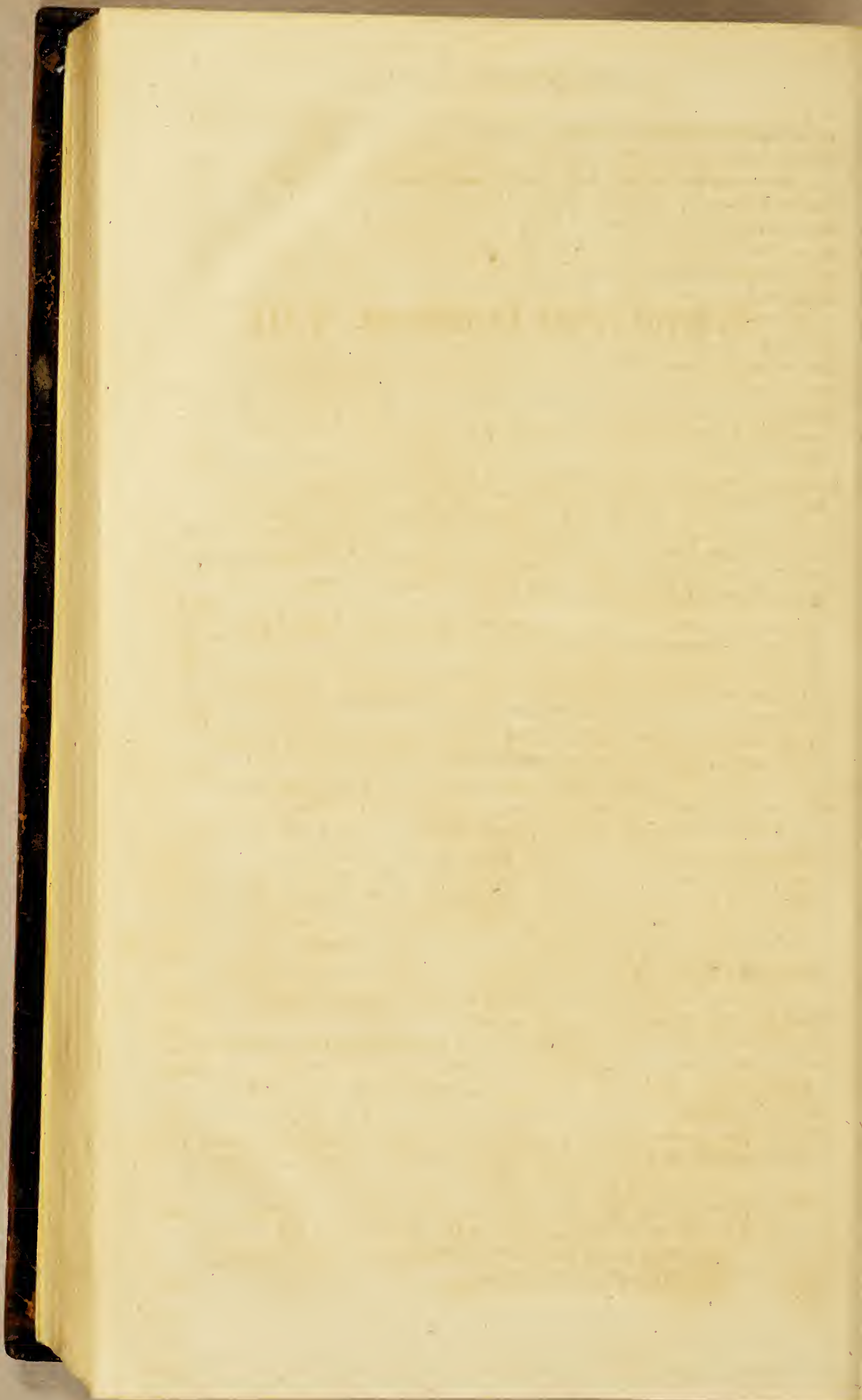
On the report of a committee, consisting of Mr. Hawkins, Mr. Lee and Mr. Duane, to whom was referred a memorial of lieutenant William Stewart,

*Resolved*, That the superintendant of finance take order for paying lieutenant William Stewart, two months pay on account.

On motion of Mr. Holten, seconded by Mr. Williamson,

*Resolved*, That the several matters now before Congress, be referred over and recommended to the attention of the United States in Congress assembled, to meet at this place on Monday next.







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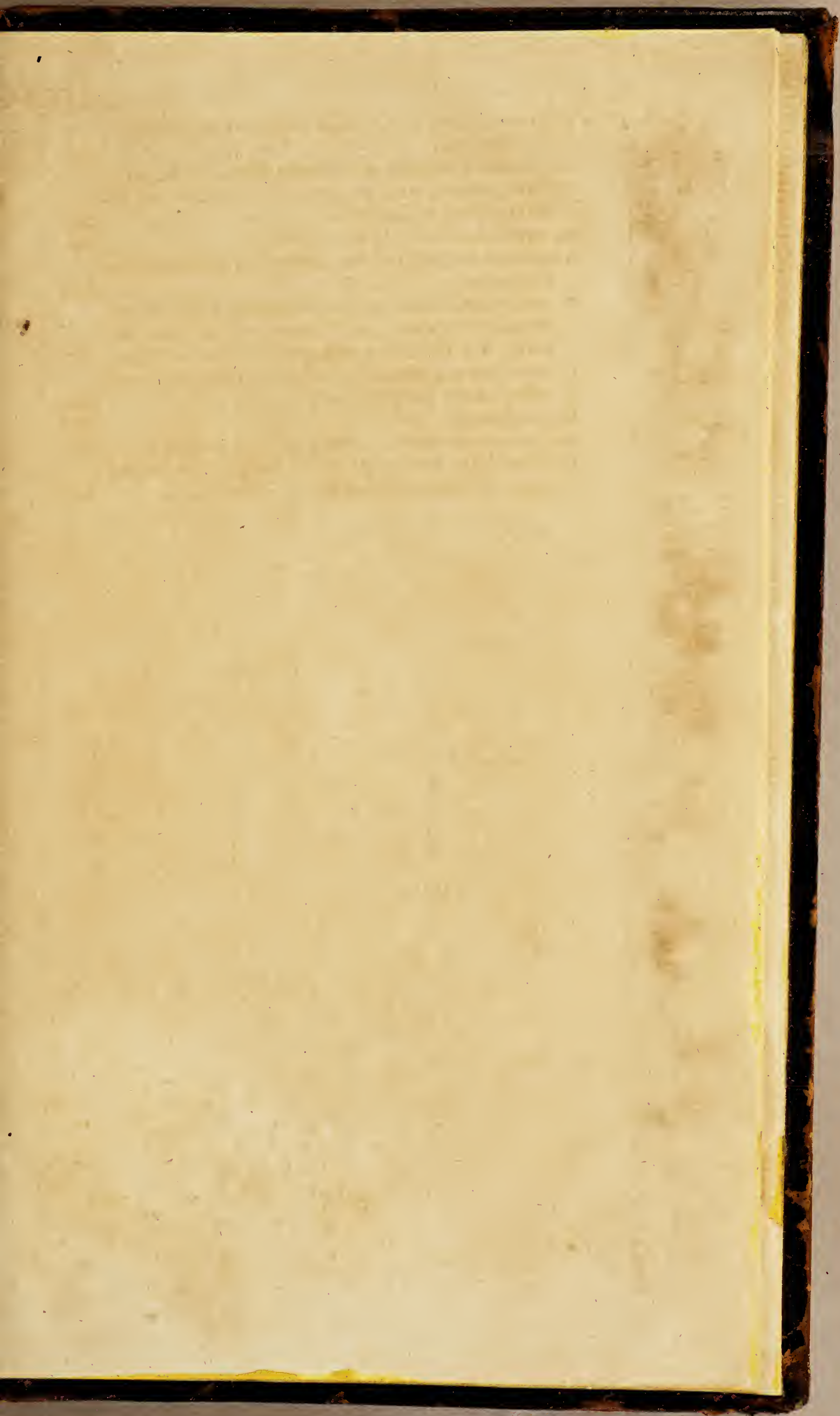
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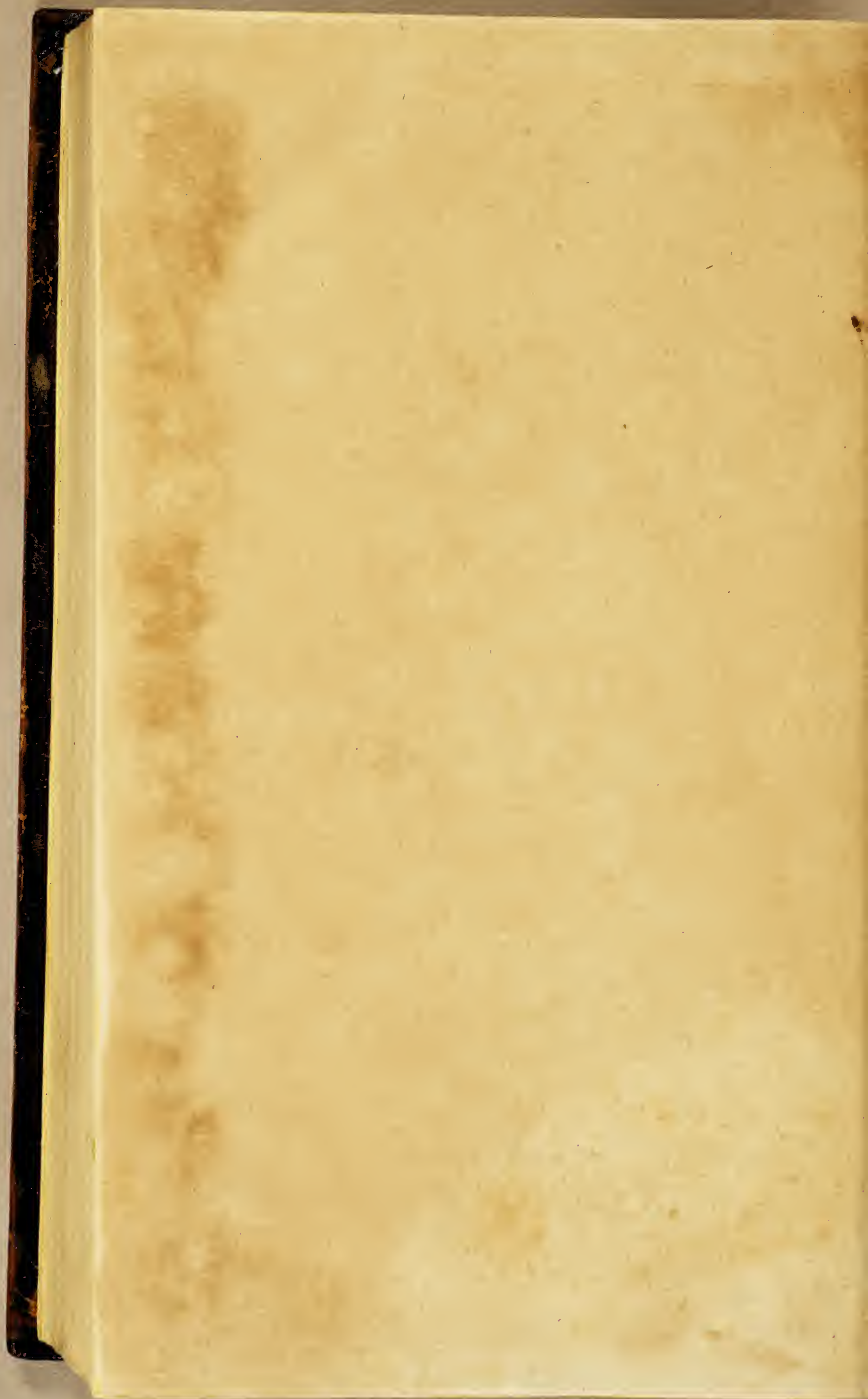


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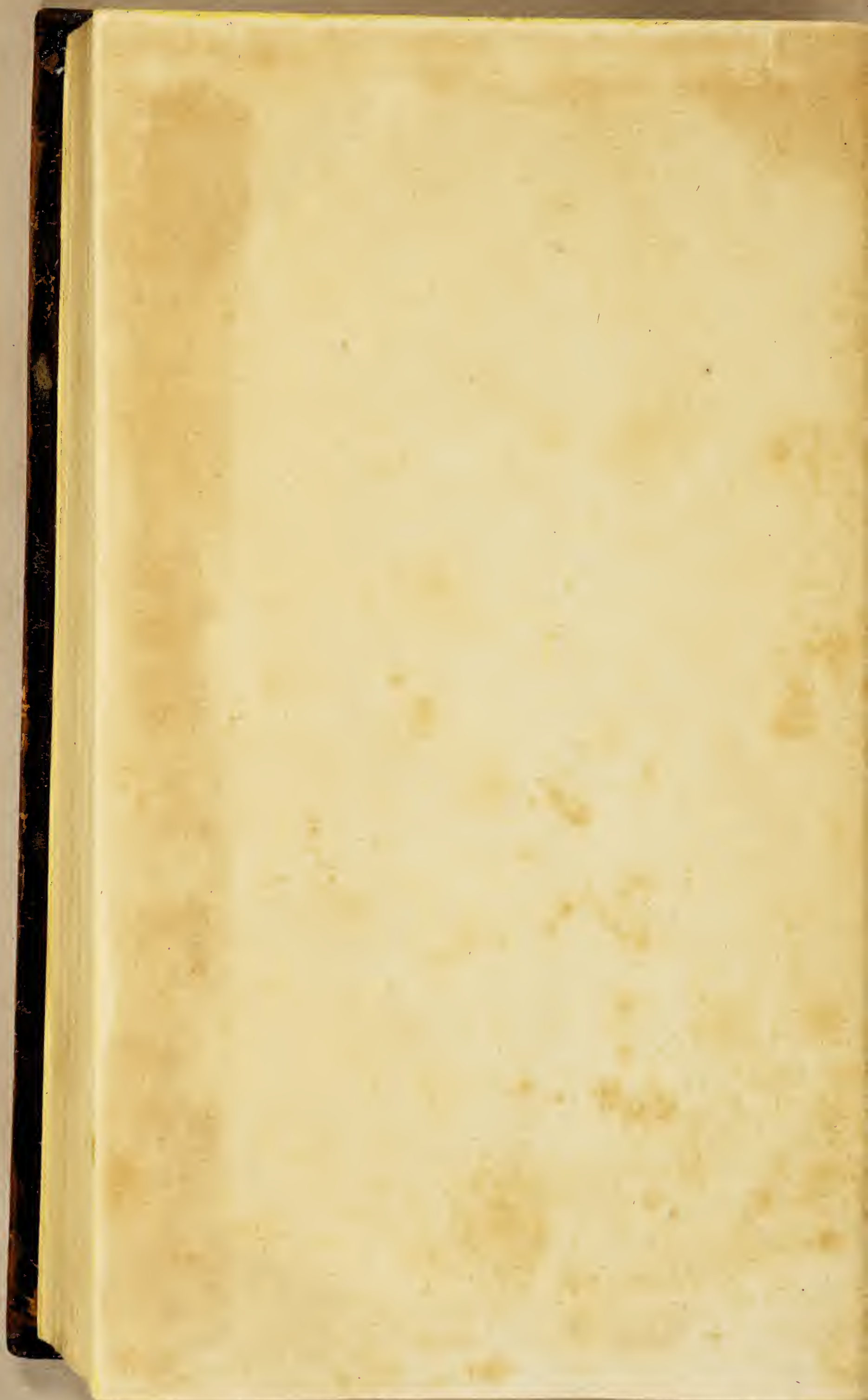














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